

**URBAN
MUNICIPAL**

CA4 ON HBL A08
B91
2001

BY-LAWS OF THE CITY OF
HAMILTON

01 - 224 ...

THE CITY OF HAMILTON

BY-LAW NO. 01 - 224

To Confirm the Proceedings of City Council at its meeting held on September 18, 2001

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

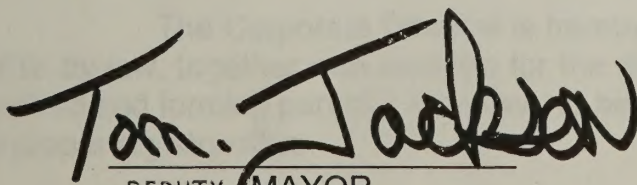
1. The Action of City Council at its meeting held on the 18th day of September, 2001 in respect of each recommendation contained in:

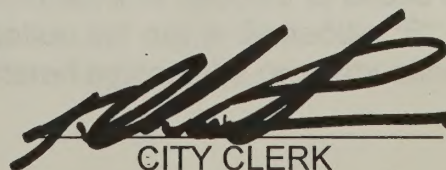
Report 01-021 of the Hearings Sub Committee,
Report 01-022 of the Hearings Sub Committee,
Report 01-026 of the Committee of the Whole,
Report 01-027 of the Committee of the Whole,
Report 01-028 of the Committee of the Whole,
Report 01-029 of the Committee of the Whole, as amended

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 18th day of September 2001


DEPUTY MAYOR


CITY CLERK

Bill No. 225

City of Hamilton

BY-LAW NO. 01-225

To Designate:

LAND LOCATED AT MUNICIPAL NO. 14 MARY STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 14 Mary Street, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,
- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

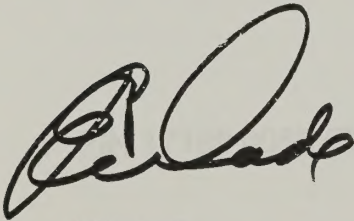
PASSED this

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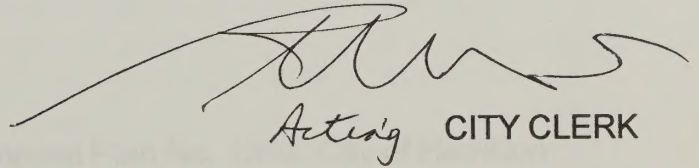
day of

October

A.D. 2001



MAYOR


Acting CITY CLERK

Schedule "A"

To

By-law No. 01-225

Century Theatre
14 Mary Street, Hamilton, Ontario

PIN 17168 0055 (R)

All of Lot 22 on Registrar's Compiled Plan No. 1393, City of Hamilton

TOGETHER WITH the use of the ten foot alley lying between Lots 19 and 20 on Plan 1393 and the twelve foot alley lying between Lots 21 and 22 as shown on said Plan. Both alleys being part of Lot 13 Concession 2 in the Township of Barton.

AND TOGETHER WITH the use of right-of-way 12 feet in width lying to the south of Lot 22 running from Mary Street easterly to Walnut Street being the northerly 12 feet of Lots 1 to 11 inclusive, Lots 13 to 18 inclusive and Lot 23 on said Registrar's Compiled Plan No. 1393.

As in Instrument Number VM248790.

Schedule "B"

To

By-law No. 01-225

Century Theatre
14 Mary Street, Hamilton, Ontario

REASONS FOR DESIGNATION

Context

The former Century Theatre at 14 Mary Street is located directly behind the landmark 1881 Copp Block which spans the entire block from Mary to Walnut Street. The theatre building originally stood in the midst of a thriving retail and entertainment district in the downtown core, just steps away from the busy King Street East commercial thoroughfare. Tucked away on a narrow street, its impressive four-storey façade with a crowning cornice arching over the semi-circular sign bearing its original "Lyric Theatre" name was only ever visible to visitors approaching the theatre from King Street at the intersection of Mary Street because of the continuous row of three-storey commercial buildings lining King. Today the building is much more visible from the north than it would have been in the early 20th century as many commercial/ industrial buildings and houses along Mary Street and King William Street have since been demolished and the vacant land turned into parking lots. Even though the theatre building is vacant and in disrepair, its imposing five-storey brick and cast stone façade still maintains a commanding presence. The new owners of the former Century Theatre intend to convert it into residential units on the upper floors with commercial space on the ground floor, conserving and restoring as many of the original features on the Mary Street façade as possible.

History

Opened as a vaudeville theatre in 1913, the Lyric Theatre was hailed at the time to be the largest theatre in Hamilton with a seating capacity of over 2000. It was built for Dominion Theatres Limited to offer "top-class" Loews Vaudeville and moving pictures to the citizens of Hamilton. At a time when this form of entertainment was extremely popular, the Lyric Theatre was one of the seven largest and grandest theatres of its type to be built in Hamilton, three of which were located in the immediate vicinity: the Temple, the Capitol and the Palace. In 1914, the Lyric was sold to the Canadian United Theatre Company of London, Ontario, and became the Keith Vaudeville Circuit's permanent home in Hamilton. The theatre underwent extensive renovations in 1922, making it "one of the most palatial amusement centres in the Dominion". Purchased in 1940 by 20th Century Theatres it was fully modernized to serve as a state-of-the-art movie house. In 1967, the Century underwent yet another complete refurbishing and continued to operate until closing in 1989 when the new multi-theatre complex opened in Jackson Square. Today, the Century and the Tivoli on James Street North are the only two of Hamilton's grand early 20th century theatres to survive with their auditoriums.

Architecture

The Lyric Theatre was originally built with a four storey wrap-around brick masonry façade designed in a Renaissance Revival style. It featured six pilasters with cast stone capitals supporting a cast stone moulding that was originally surmounted by an elaborate crowning cornice (almost certainly fabricated of galvanized iron) with a central round arched section framing a semi-circular metal sign panel. The symmetrical front façade was divided by four brick pilasters into three window bays. The wood-framed sash windows originally provided natural light for the offices located on the three floors at the front of the building.

In 1922, the building was extensively remodeled with an “elaborate new entrance, modern balcony and beautiful mezzanine floor”. In 1940, the building underwent more major changes, which most likely included the fifth floor addition at the front. The architects, Kaplan and Sprachman of Toronto, reputedly designed many outstanding pictures houses across Canada. Claimed to be the first theatre in Canada to have the modern convenience of year-round air conditioning, it was decorated with sensational new fluorescent carpet never before seen in Canadian theatres. Fluorescent paint was applied to the ceiling and wall panels in modernistic designs and illuminated with black lighting. The entrance was again altered to include a new marquee, stainless steel box office, vitrolite cladding and neon lighting. Many of these elements were lost when the theatre was again renovated in 1967. The only decorative feature of the 1940 interior to survive was a series of identical abstract Art Deco panels painted on the side walls of the auditorium, which are now faded but still visible.

Today, the upper façade retains its original brick masonry facing and cast-stone trim, and its original window openings with some of the wood-sash windows (now hidden behind metal cladding) and cast-stone lintels. Although the decorative cornice has been removed, the painted metal “Lyric Theatre” sign has survived, now badly faded but with the lettering still just discernible. The only surviving original feature of the street level façades is the cast stone lower cornice which wraps around the sides of the building, where it is still visible and partially intact. The front section may be intact, or partially, behind the aluminum fascia panel. Even in its neglected condition, the former Lyric/ Century Theatre continues to stand as a significant example of Hamilton's early 20th century theatre architecture.

Designated Features

Important to the preservation of the former Lyric/ Century Theatre is the west (front) façade and the 20-foot sections of the north and south walls which echo the architectural treatment of the front façade. Included are the six brick pilasters; the cast stone capitals, sills, upper string course and surviving sections of the lower cornice; the semi-circular metal sign panel; the original window openings and any surviving wood sash windows. Also included are the 1940 painted panels in the auditorium.

Authority: Items 14, 15, 16, 17, 18, & 26
TOE01147, TOE01149, TOE01150, TOE01151 & TOE01154
Committee of the Whole Report 01-029
CM: September 18, 2001

Bill No. 226

City of Hamilton

BY-LAW NO. 01- 226

To Amend:

By-law No. 76-46 (Ancaster), as amended,
and By-law No. 89-72 (Hamilton), as amended

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of June, 1976, the Council of the Corporation of the Town of Ancaster enacted By-law No. 76-46 to provide for the regulation of traffic on highways within the jurisdiction of The Corporation of the Town of Ancaster;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality the Corporation of the Town of Ancaster and the former area municipality the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the former area municipality the Corporation of the Town of Ancaster and the former area municipality the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-laws No. 76-46 and 89-72, both as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 76-46, as amended, is hereby further amended by adding to Schedule "D" thereof (Stop Streets) the following items, namely:

"Derbeyshire Street and Liam Drive	East and West sides of Derbeyshire Street	Liam Drive
Liam Drive and Derbeyshire Street	North and South sides of Liam Drive	Derbeyshire Street"

2. By-law No. 89-72, as amended, is hereby further amended by adding to Schedule 10 thereof (Stops at Intersections) the following items, namely:

"Dalia	Eastbound	Eaglewood
Elmore	Southbound	Royal Vista
Cochrane	Northbound and Southbound	Lucerne
Strathearne	Northbound and Southbound	Dunsmure
Franklin	Eastbound and Westbound	East 25th"

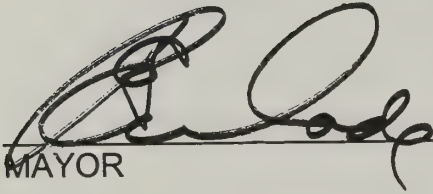
3. By-law No. 89-72, as amended, is hereby further amended by adding to Schedule 18A thereof (No Left Turn on Red Light) the following item, namely:

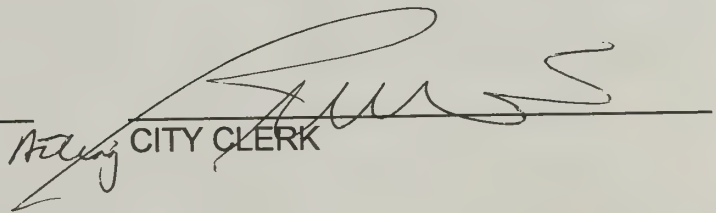
"Caroline	Southbound	Main	Anytime"
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4. Subject to the amendments made in this By-law, in all other respects, By-law No. 76-46 (Ancaster) and By-law No. 89-72 (Hamilton), including all Schedules thereto, both as amended, are hereby confirmed unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 2nd day of October, 2001


MAYOR


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01- 227

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 9, 10, 11 and 12 ON PLAN 62M-673
INTO SANDHILL DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sandhill Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Sandhill Drive.

All of Blocks 9, 10, 11 and 12 on Plan 62M-673

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 2nd day of October, 2001



Mayor



Acting City Clerk

City of Hamilton

BY-LAW NO. 01- 228

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

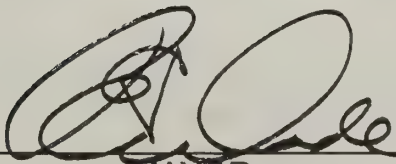
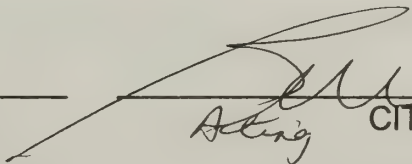
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"West 25th	Northbound	Price
West 27th	Northbound	Price"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 2nd day of October, 2001

 MAYOR	 Acting CITY CLERK
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City of Hamilton

BY-LAW NO. 01- 229

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

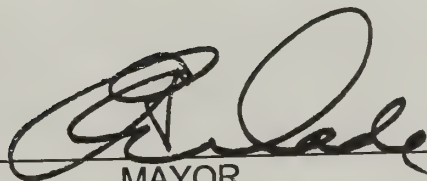
"Carousel

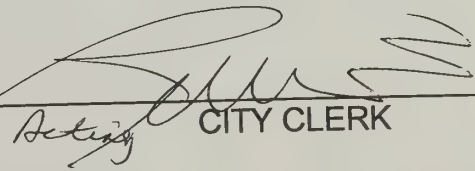
Southbound

Millwood"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 2nd day of October, 2001


MAYOR


Acting CITY CLERK

City of Hamilton

BY-LAW NO. 01-230

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

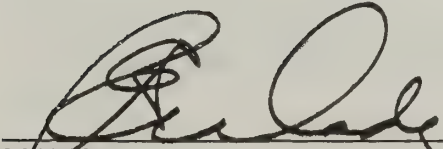
1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

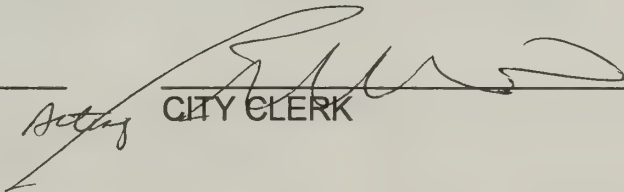
"Coopershawk	Westbound	Hawkswood
Eagleglen	Westbound	Hawkswood
Hawkswood	Northbound and Southbound	Eagleglen

Redtail	Westbound	Hawkswood
Kittyhawk	Westbound	Hawkswood
Hawkswood	Northbound	Falconridge"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 2nd day of October, 2001


MAYOR


Acting CITY CLERK

City of Hamilton

BY-LAW NO. 01-231

To Amend:

By-law No. 01-218

TO REGULATE ON-STREET PARKING

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 8 (No Parking Areas) of By-law No. 01-218 is hereby amended by striking out the word "Areas" in the title thereof and substituting in its place the word "Zones"
2. Schedule 13 (No Stopping) of By-law No. 01-218 is hereby amended by adding to the title thereof the word "Zones" immediately after the word "Stopping"
3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Beach Rd.	South Conrad to easterly limit	Anytime
Rexford	East Ashcroft to 94 feet northerly	Anytime
Rexford	East 171 feet north of Ashcroft to 40 feet northerly	Anytime"

and by deleting therefrom the following item, namely:

"Beach Rd.	South	Kenilworth to Burlington	Anytime"
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and by adding to Section "F" thereof the following item, namely:

"Riviera Ridge	North & West	24m west of the west curb line of the north-south leg of Riviera Ridge to 11m north of the north curb line of the east-west leg	Anytime"
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and by deleting therefrom the following item, namely:

"Riviera Ridge	North & East	From a point 22m west of the east leg of Riviera Ridge to a point 20m north of the south leg of Riviera Ridge	Anytime"
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby amended by adding to Section "E" thereof the following item, namely:

"Newlands	North	80 feet east of Harmony to 20 feet easterly	Anytime"
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5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Caroline	East	Barton to 96 feet northerly	Anytime
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Caroline	East	158 feet north of Barton to 23 feet northerly	Anytime"
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6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby amended by adding to Section "E" thereof the following items, namely:

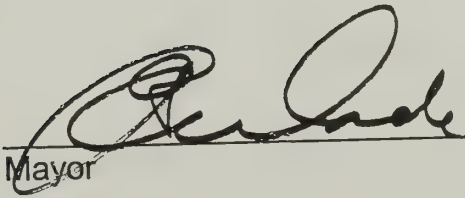
"Kenilworth	East	86 feet south of Albany to 21 feet southerly	9:00 a.m. - 4:00 p.m. Monday to Friday
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Rosewood	West	245 feet north of Cochrane to 43 feet northerly	Anytime"
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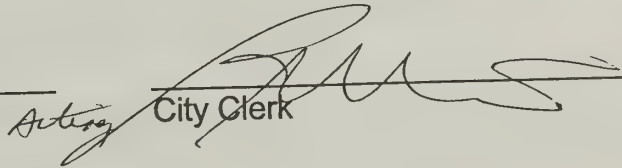
7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 2nd day of October, 2001.



Mayor



Acting City Clerk

Bill No. 232

CITY OF HAMILTON

BY-LAW NO. 01-232

**TO APPOINT A TEMPORARY ACTING CLERK
FOR THE CITY OF HAMILTON**

WHEREAS subsection 73(1) of the Municipal Act, R.S.O. c. M.45, as amended, provides that Council may appoint a Clerk who shall perform the duties under the said Act, and such other duties as may be assigned by the Council;

AND WHEREAS subsection 73(3) of the said Act provides that Council may appoint a Temporary Acting Clerk who shall have all the powers and duties of the Clerk under the said Act and every other Act;

AND WHEREAS it is advisable to appoint a Temporary Acting Clerk, to ensure that the powers and duties of the Office of the Clerk may be exercised efficiently and effectively at all times;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

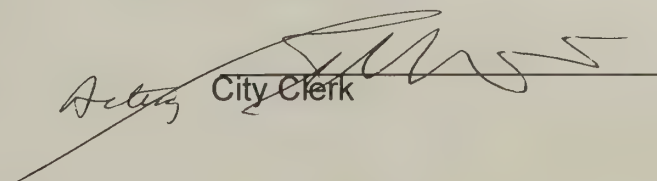
1. By-law No. 01-064 is amended by adding the following section after section 3:

- 3a. Patricia Brown is appointed as Temporary Acting Clerk in the absence of Kevin C. Christenson, Darryl J. Lee and Rose Caterini, and shall have all the powers and duties of the Clerk, with respect only to the execution of documents relating to the conduct of the operations of the City of Hamilton.

2. This By-law comes into force on the date that it is enacted.

PASSED AND ENACTED this 2nd day of October, 2001.


Mayor


Acting City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-233

To Confirm the Proceedings of City Council at its meeting held on October 2, 2001

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

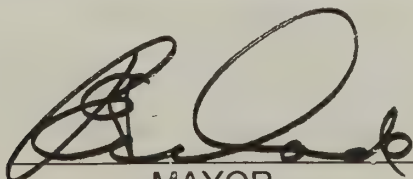
1. The Action of City Council at its meeting held on the 2nd day of October, 2001 in respect of each recommendation contained in:

Report 01-023 of the Hearings Sub Committee,
Report 01-024 of the Hearings Sub Committee,
Report 01-030 of the Committee of the Whole,
Report 01-031 of the Committee of the Whole,
Report 01-004, Grants Sub-Committee

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 2nd day of October, 2001



MAYOR



CITY CLERK

Authority: Item 5, 15th Report of the Planning and
Development Committee
CM: August 11, 1999

Bill No. 234

City of Hamilton

BY-LAW NO. 01-234

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 509 AND 531 QUEENSTON ROAD

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593 (Hamilton), passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 5 of the 15th Report of the Planning and Development Committee (Hamilton) at its meeting held on the 11th day of August, 1999, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8A. of Zoning By-law No. 6593 (Hamilton), applicable to Block "1" (No. 509 Queenston Road), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) Notwithstanding Section 8A.(1) of Zoning By-law 6593 (Hamilton), the following additional uses shall be permitted:
 - i. A denture clinic on the ground floor of the existing building only; and,
 - ii. One ground sign that shall not exceed 0.8 metres in vertical dimension or 0.6 square metres in area and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
 - iii. One wall sign that shall not exceed an area of 1.2 square metres and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
- (b) Notwithstanding Section 8A.(3)(i) of Zoning By-law 6593 (Hamilton), no setback shall be required from the front lot line for a ground sign; and,
- (c) Sections 18A.(11) and 18A.(12) of Zoning By-law 6593 (Hamilton) shall not apply; and,
- (d) Section 18A.(14g) of Zoning By-law 6593 (Hamilton) shall not apply; and,
- (e) Section 18A.(26) of Zoning By-law 6593 (Hamilton) shall not apply; and,
- (f) A landscaped planting strip of not less than 1.5 metres in width shall be provided and maintained along the southerly lot line, adjacent to Queenston Road, except any area used for vehicular access, only where an encroachment agreement for landscaping has not been entered into with the City of Hamilton, for a minimum 1.5 metres wide landscaped planting strip within the widened road allowance limits of Queenston Road; and,

- (g) A visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line and along the easterly lot line, commencing at the northerly lot line, southerly for a distance of at least 26.0 metres.

2. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8A. of Zoning By-law No. 6593 (Hamilton), applicable to Block "2" (No. 531 Queenston Road), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) Notwithstanding Section 8A.(1) of Zoning By-law No. 6593 (Hamilton), the following additional uses shall be permitted:
 - i. A medical office on the ground floor of the existing building only; and,
 - ii. One ground sign that shall not exceed 1.7 metres in vertical dimension or 0.7 square metres in area and shall not be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
- (b) Notwithstanding Section 8A.(3)(i) of Zoning By-law No. 6593 (Hamilton), no setback shall be required from the front lot line for a ground sign; and,
- (c) Sections 18A.(11) and 18A.(12) of Zoning By-law No. 6593 (Hamilton) shall not apply; and,
- (d) A landscaped planting strip of an average width of 1.0 metre, but not less than 0.9 metres, shall be provided and maintained along the northerly lot line, commencing at the easterly lot line for a distance of at least 8.0 metres westerly; and,
- (e) A visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line.

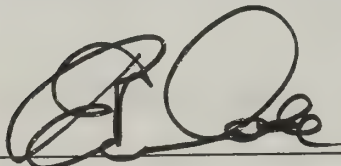
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" District provisions, subject to the special requirements referred to in sections 1 and 2.

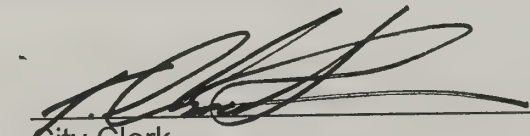
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1432.

5. Sheet No. E-95 of the District Maps is amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1432.

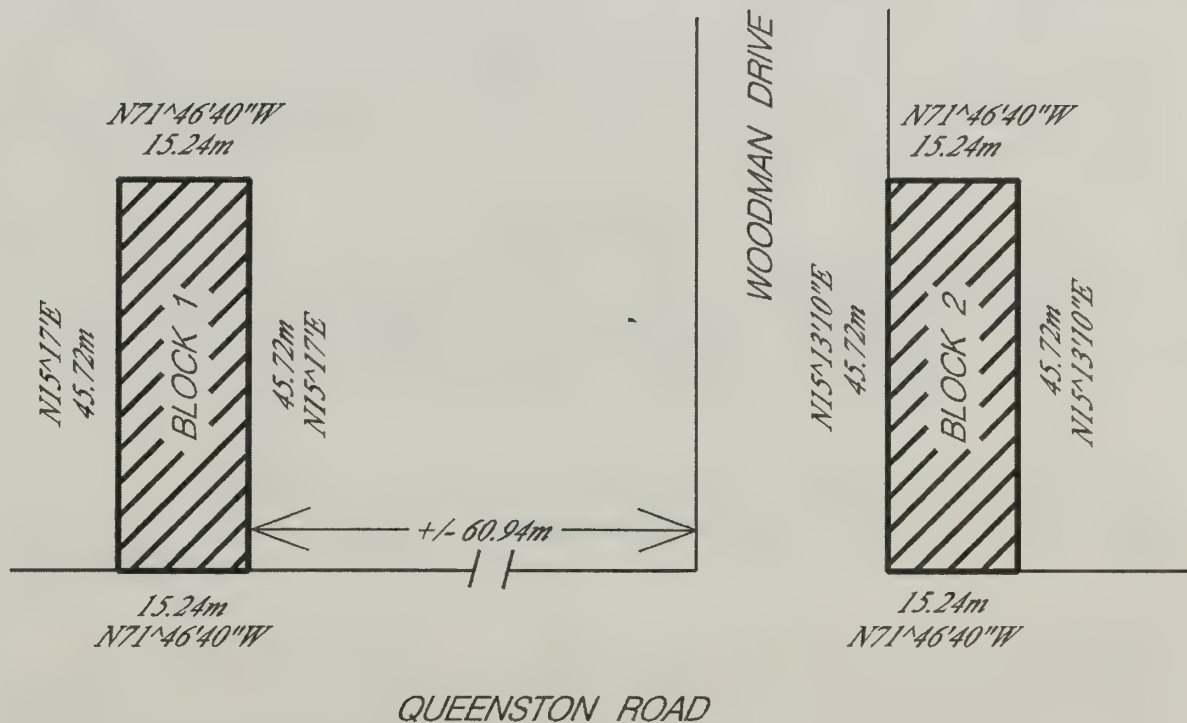
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and enacted this 16th day of October, 2001.



Mayor

City Clerk



This is Schedule "A" to By-Law No. 01-234.....
 Passed the 16th day of October, 2001.


 City Clerk


 Mayor

City of Hamilton

Schedule "A"

Map forming Part of
 By-law No. 01-234

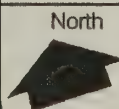
Planning and Development Department

Legend

BLOCK 1
 BLOCK 2



Modification to the established "B-1"
 (Suburban Agriculture and Residential)
 District Regulations



North

Scale
 NOT TO SCALE

Date
 September, 2001

Reference File No.

CI-99-C

Drawn By

P.T.

Authority: Item 8, Committee of the Whole
Report 01-030 (PD01169)
CM: October 2, 2001

Bill No. 235

City of Hamilton

BY-LAW NO. 01-235

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"SOUTHBROOK ON THE GREEN PHASE 1"
REGISTERED PLAN OF SUBDIVISION 62M-933**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Township of Glanbrook" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS Subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part lot control on land within a registered plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control. –** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law. –** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorised to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating lots for street townhouse dwellings shall not apply to the following lands:

Blocks “41” and “42”, Registered Plan No. 62M-933, in the former Township of Glanbrook.
2. Where this by-law has been enacted, it shall be registered on title to the land described in paragraph one above.

By-law to remove lands within
Blocks "41" and "42", 62M-933
from Part Lot Control

Page 3

3. This By-law shall expire on September 30, 2003.

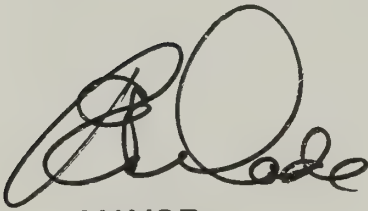
PASSED this

16th

day of

October

A.D. 2001



MAYOR



CITY CLERK

Losani Homes Ltd.
PLC-01-12

City of Hamilton

BY-LAW NO. 01 - 236

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 1428 UPPER JAMES STREET

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 (Hamilton), passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-9c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "C" (Urban Protected Residential, etc.) District to "HH" – 'H' (Restricted Community Shopping and Commercial, etc. – Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,

- (1) the owner applying for and receiving final approval of a site plan control application for the use of the subject lands in conjunction with the abutting lands to the north; and,
- (2) land assembly having occurred whereby the subject lands have been merged in title with the abutting lands to the north to the satisfaction of the Director, Development Division, Planning and Development Department; and

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "HH" District provisions.

3. The "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, as contained in Section 14A of Zoning By-law No. 6593 (Hamilton), applicable to the lands referred to in section 1, are amended to the extent only of the special requirements that:

- (a) notwithstanding Section 14A.(1) of Zoning By-law No. 6593, (Hamilton) the following uses shall be prohibited:
 - (i) a brewers warehouse or a liquor dispensary within 61.0 metres of the northerly lot line;
 - (ii) a hotel;
 - (iii) a tavern;
 - (iv) a bowling alley;
 - (v) a shooting gallery;
 - (vi) a billiard room;
 - (vii) a penny arcade;
 - (viii) a public hall;
 - (ix) a music hall;
 - (x) a theatre or other place of amusement;
 - (xi) a massage parlour;
 - (xii) a public bath;
 - (xiii) an auctioneers premise;
 - (xiv) an autobody repair or auto body paint shop, an automobile service station or a car wash in conjunction with an automobile service station;
 - (xv) a public parking lot;
 - (xvi) a bill board or a roof sign;
 - (xvii) a fraternity hall or sorority house;
 - (xviii) a labour union hall;

- (xix) a district yard; and,
- (xx) a college or university; and,
- (b) notwithstanding Section 14A.(3)(a) of Zoning By-law No. 6593 (Hamilton), a front yard having a depth of at least 9.5 metres for a drive-thru restaurant shall be provided and maintained;
- (c) notwithstanding Section 14A.(7)(a) of Zoning By-law No. 6593 (Hamilton), a planting strip having a width of not less than 3.0 metres shall be provided and maintained along the southerly lot line; and,
- (d) notwithstanding Section 14A.(7)(b) of Zoning By-law No. 6593 (Hamilton), a minimum landscaped area having a width of not less than 3.0 metres shall be provided and maintained along the entire street line of the lot; and,
- (e) No vehicular access to the subject lands shall be permitted from Upper James Street; and,
- (f) notwithstanding Section 14A.(3)(a) of Zoning By-law No. 6593 (Hamilton), a business identification sign shall be permitted on the subject lands provided that the aggregate area of the business identification signs shall not be greater than 10.16 square metres subject to the following:
 - (i) the sign be located at a distance of not less than 3.0 metres from the nearest street line;
 - (ii) the sign have a height of at least 3.0 metres from the ground to the bottom of the sign; and,
 - (iii) the support structure of the sign be designed and constructed so as not to obstruct the view from any direction to a greater degree than is reasonably necessary.

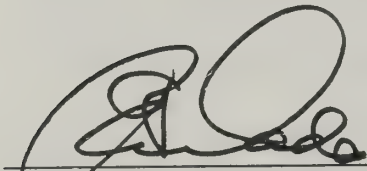
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1458.

6. Sheet No. W-9c of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1458.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

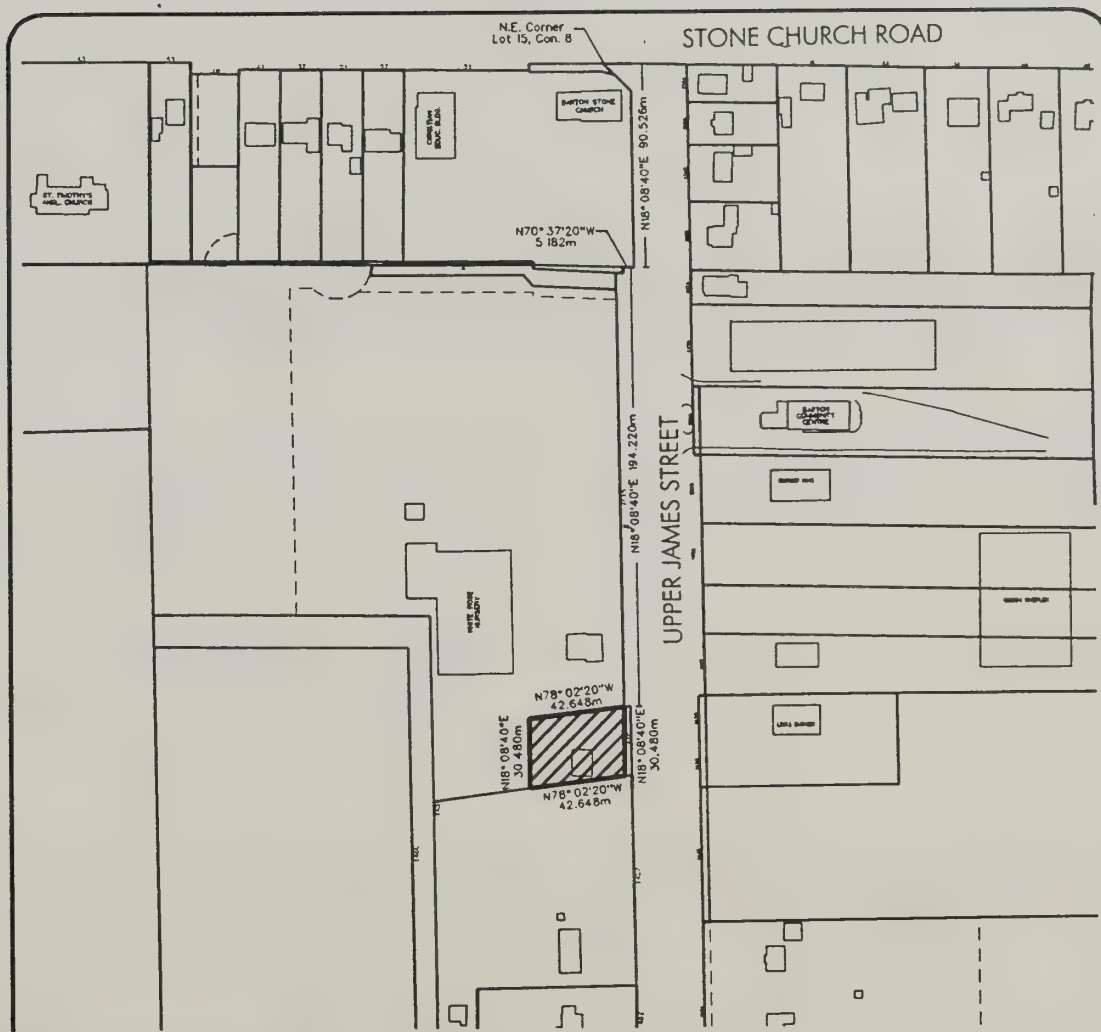
PASSED and enacted this 16th day of October, 2001.



Mayor

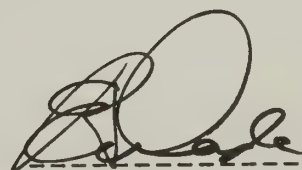
City Clerk

Rencoast Holdings Inc., Owner
ZAC-01-10



This is Schedule "A" to By-Law No. 01-236
 Passed the 16th day of October 2001.


 City Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-236
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" - "H" (Restricted Community Shopping and Commercial, etc. - Holding) District, modified.



Scale
 NOT TO SCALE

Date
 Sept, 2001

Reference File No.
 ZA-01-10

Drawn By
 L.M.

CITY OF HAMILTON

BY-LAW NO. 01-237

**BEING A BY-LAW TO IMPOSE SPECIAL ANNUAL DRAINAGE RATES
UPON LAND IN RESPECT OF WHICH MONEY IS BORROWED
UNDER THE *TILE DRAINAGE ACT*, R.S.O. 1990**

WHEREAS owners of land in the municipality have applied to Council under the Tile Drainage Act, R.S.O. 1990 for loans for the purpose of constructing subsurface drainage works on such land;

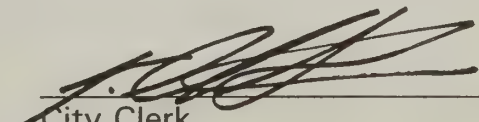
AND WHEREAS the Council upon application will lend the owners the total sum of \$14,200.00 to be repaid with interest by means of rates hereinafter imposed;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. THAT the Annual Rates as set out in the Schedule "A" attached hereto are hereby imposed upon such land as described for a period of ten years, such rates to be levied and collected in the same manner as taxes.

PASSED and enacted this 16th day of October, 2001.



Mayor

City Clerk

THE CITY OF HAMILTON

SCHEDULE "A"
TO BY-LAW NO. 01-237

Name & Address of Owner	Description of Land Drained	Proposed Date of Loan	Sum to be Loaned \$	Annual Rate to be Imposed
Robert & Lesya Dyk 52 Strathcona Ave. S. Hamilton, ON L8P 4H9	Lot 12 Conc. 4 (formerly in the Township of Saltfleet) 892 Ridge Road.	Nov. 1, 2001	\$14,200.00	\$2116.00

Authority: Motion - August 22, 2001 Council Meeting
Report PD01049
CM: August 22, 2001

Bill No. 238

City of Hamilton

BY-LAW NO. 01-238

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 219 GARNER ROAD EAST
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Agricultural "A-216" Zone to the Residential "R2-468" Zone those lands located within part of lots 44 and 45, concession 3, geographic township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

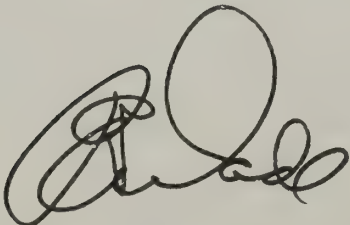
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

R2-468 That the "R2" (Residential) District regulations, as contained in Section 11.2 of Zoning By-law No.87-57 (Ancaster) applicable to the subject lands be amended to the extent of the following special requirement:

1.0 notwithstanding Section 11.2.2 (b), the minimum lot frontage shall be 21 metres, except that one lot may have a lot frontage no less than 18 metres. Further, the minimum lot frontage for a corner lot shall be 25 metres.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 16th day of October A. D. 2001

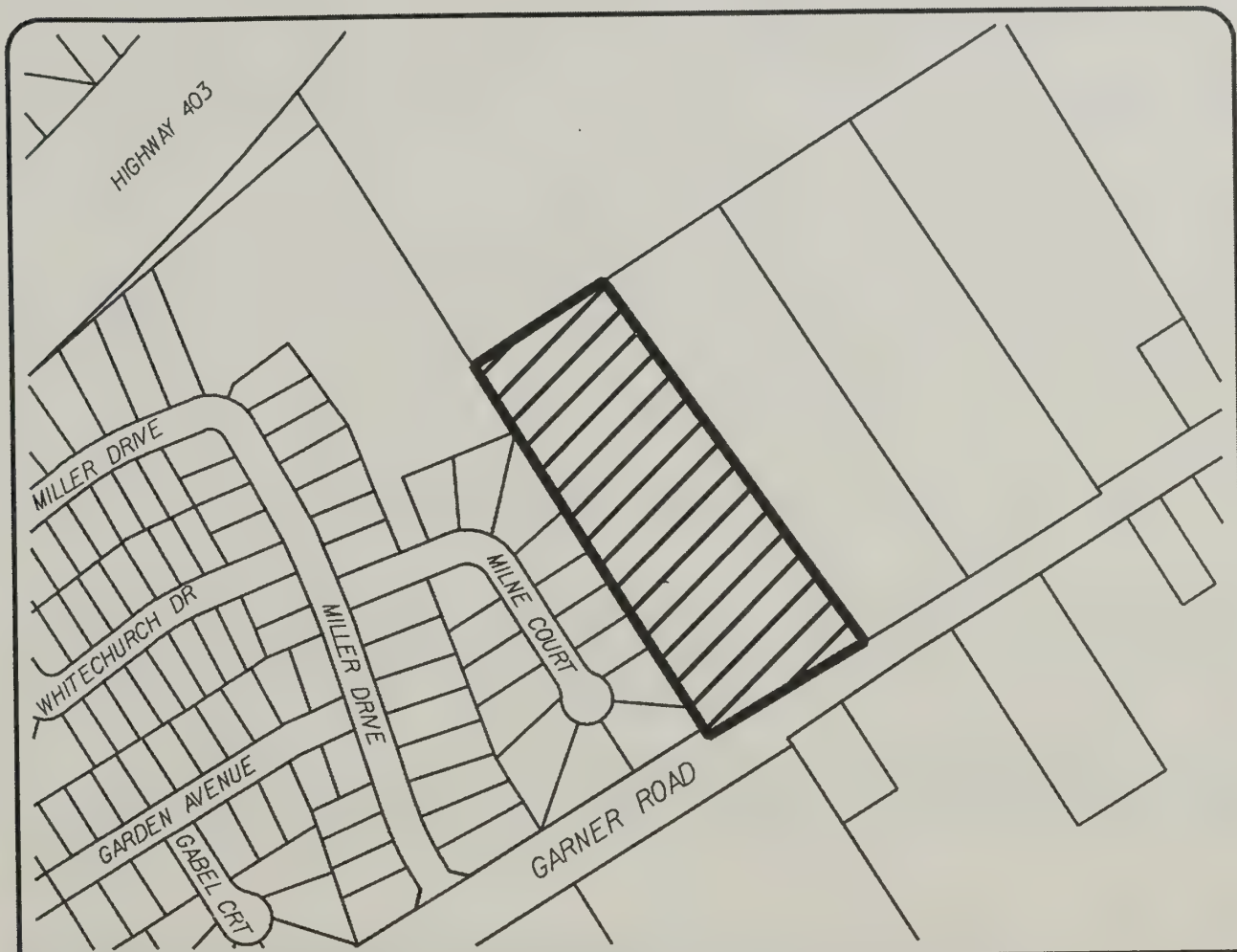


MAYOR



CITY CLERK

Dreamwork Homes Inc. (Grant Sanders, President) – Owner
ZB-00-10 (Former Town of Ancaster)



This is Schedule "A" to By-Law No. 01-238.....
 Passed the16th day of October, 2001.


 City Clerk


 Mayor

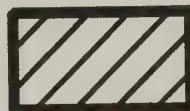
City of Hamilton

Schedule "A"

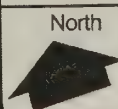
Map Forming Part of
 By-Law No. 01-238
 to Amend By-Law No. 87-57

Planning and Development Department

Legend



Change in Zoning From Agricultural
 "A-216" Zone to the Residential
 "R2-468" Zone



North

Scale
 NOT TO SCALE

Date
 Oct 11, 2001

Reference File No.
 PD-01049

Drawn By
 M.C.

City of Hamilton

BY-LAW NO. 01-239

To Amend:

By-law No. 01-218

TO REGULATE ON-STREET PARKING

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby amended by renumbering article "4" of Section "G", Sub-section "B", respecting the "Half Hour Limit between the hours of 8 o'clock in the forenoon and 12 o'clock in the afternoon" as article "3b".
2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Emerson	Both	Willowcrest to south branch of Whitney)	2 hr	9 am - 5 pm	Mon - Fri
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East 37th	West	Fennel to Seventh	1 hr	8 am - 6 pm	Mon - Fri"
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and by deleting from Section "E" thereof the following item, namely:

"Dundurn	Both	Hill to Charlton	1 hr	8 am - 6 pm	Mon - Sat"
----------	------	------------------	------	-------------	------------

and by deleting from Section "G", sub-section "B", article "4" thereof, the following item, namely:

"Dundurn Both Hill to Charlton"

3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "C" thereof the following item, namely:

"Rockcliffe East South curb line of the East-West leg of Anytime"
Rockcliffe at Bayview to 127 ft. southerly

and by deleting from Section "E" thereof the following items, namely:

"Hillyard Both Southerly limit to 74 feet northerly Anytime

Rawlings North 112 feet west of Rowntree (east intersection) to 28 feet westerly Anytime

Rowntree East 114 feet south of Ross (west intersection) to 34 feet southerly Anytime"

4. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Balsam Avenue South West East
Afton Avenue to Cumberland Avenue

Balsam Avenue South East West"
Maplewood Avenue to Afton Avenue

and by deleting therefrom the following item, namely:

"Balsam East West"
Maplewood to Cumberland

5. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

Hope North from 251 ft. west of Cope to 21 ft. westerly Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Emerald West commencing 62 feet south of Birge to a point 17 feet southerly Anytime"

6. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Cranbrook West 52 feet north of the extended north curb line of Greendale to 34 feet south of the extended south curb line of Greendale Anytime

Cranbrook West 225 feet south of the extended south curb line of Greendale to 90 feet south of the extended south curb line of Garrow 7:00 a.m. - 6:00 p.m.
Monday to Friday

Garrow Both Cranbrook to 76 feet easterly Anytime

Cranbrook East Garrow to 73 feet southerly 7:00 a.m. - 4:00 p.m.
Monday to Friday"

and by deleting from Section "E" thereof the following item, namely:

"Maplewood North Springer to 275 ft. westerly Anytime"

and by adding to Section "G" thereof the following items, namely:

"Dundurn East Main to Hill Anytime

Dundurn West Main to 151 feet south of extended south curb line of Hill Anytime"

and by deleting from Section "G" thereof the following item, namely:

"Dundurn Both Main to Hill Anytime"

7. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Strathcona	West	141 feet north of Lamoreaux to 30 feet northerly	7:00 a.m. - 6:00 p.m. Monday to Saturday
Adeline	West	265 feet south of Barton to 24 feet southerly	8:00 a.m. - 4:00 p.m. Monday to Friday
Cheryl	South	68 feet east of Upper Sherman to 27 feet easterly	7:00 a.m. - 5:00 p.m. Monday to Friday
Cranbrook	West	124 feet south of the extended south curb line of Greendale to 56 feet southerly	7:00 a.m. - 6:00 p.m. Monday to Friday

and by deleting from Section "E" thereof the following items, namely:

"Thorner	South	30 feet	103 feet west of Deerborn	7:00 a.m. - 6:00 p.m. Monday to Saturday
Cranbrook	West	80 feet	commencing 113 feet south of the south curb line of Greendale	7:00 a.m. - 6:00 p.m. Monday to Friday"

8. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Maplewood	North	75 feet	118 feet west of Springer	7:00 a.m. - 6:00 p.m. Monday to Saturday
Thorner	South	170 feet	84 feet west of Deerborn	7:00 a.m. - 6:00 p.m. Monday to Saturday
Cranbrook	West	90 feet	34 feet south of the extended south curb line of Greendale	7:00 a.m. - 6:00 p.m. Monday to Friday
Cranbrook	West	45 feet	180 feet south of the extended south curb line of Greendale	7:00 a.m. - 6:00 p.m. Monday to Friday

and by deleting from Section "E" thereof the following items, namely:

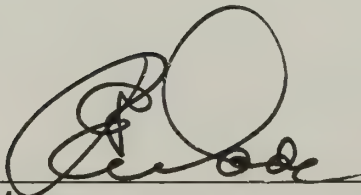
"Thorner	South	120 feet	133 feet west of Deerborn	7:00 a.m. - 6:00 p.m. Monday to Saturday
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Thorner	South 120 feet	commencing at a point 85 feet east of the east curb line of Bishopgate	7:00 a.m. - 6:00 p.m. Monday to Saturday
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Cranbrook	West 40 feet	73 feet south of south curb line Greendale	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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9. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
10. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 16th day of October, 2001.



Mayor

City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-240

A By-law to authorize the issue of Debentures in the principal amount of \$8,406,910 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-080 issued sinking fund debentures in the aggregate principal amount of \$46,000,000 which matured on October 4, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$34,009,345 of which \$8,450,852 was for the purposes set forth in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$8,406,910 maturing in varying instalments of principal over a period of 5 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

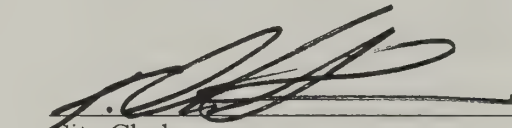
1. The borrowing of \$8,406,910 for the purposes of the City as set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2006, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 25 and October 25 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at

any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor

City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BYLAW 01-240

TERM: 5 YEARS

(1) (2) (3) (4) (5) (6)

DEBENTURES TO BE ISSUED

R96-078

PERMITTED
REFINANCING

ONTARIO MUNICIPAL BOARD

DATE

NUMBER

AUTHORIZING
RESOLUTION

TERM IN
YEARS

PROJECT

\$

\$

LIMITS

PROJECTS TO BE REFINANCED FROM BYLAW R96-078

FINANCING OF OUTSTANDING DEBT OWING TO
ONTARIO CLEAN WATER AGENCY

CITY OF HAMILTON WASTEWATER SYSTEM
ANCASTER WASTEWATER SYSTEM
STONE CREEK WASTEWATER SYSTEM

R95-115
R95-115
R95-115

5
5
5

7,429,988
761,390
259,204

7,391,600
757,450
257,860

8,450,582.00

8,406,910.00

TOTAL

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-240

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	1,562,910.00	175,918.59	175,918.59	1,914,747.18
2003	3.750	1,612,000.00	151,498.12	151,498.12	1,914,996.24
2004	4.250	1,670,000.00	121,273.12	121,273.12	1,912,546.24
2005	4.625	1,741,000.00	85,785.62	85,785.62	1,912,571.24
2006	5.000	<u>1,821,000.00</u>	<u>45,525.00</u>	<u>45,525.00</u>	<u>1,912,050.00</u>
TOTAL		<u>\$8,406,910.00</u>	<u>\$580,000.45</u>	<u>\$580,000.45</u>	<u>\$9,566,910.90</u>

CITY OF HAMILTON

BY-LAW NO. 01-241

A By-law to authorize the issue of Debentures in the principal amount of \$7,516,560 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-080 issued sinking fund debentures in the aggregate principal amount of \$46,000,000 which matured on October 4, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$34,009,345 of which \$20,589,922 was for the purposes of the City and of which \$7,578,149 was for the purposes set forth in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$7,516,560 maturing in varying instalments of principal over a period of 10 years which is the amount of debt intended to be created by this By-law.

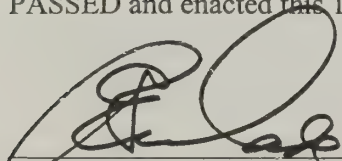
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$7,516,560 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2011, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 25 and October 25 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be

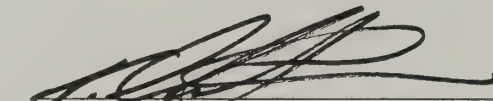
registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BYLAW 01-241

TERM: 10 YEARS

(1)	(2)	(3)	(4)	(5)	(6)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	ONTARIO MUNICIPAL BOARD ----- NUMBER	R96-078 PERMITTED REFINANCING LIMITS	DEBENTURES TO BE ISSUED
PROJECTS TO BE REFINANCED FROM BYLAW R96-078	10	R95-116		7,578,149	7,516,560
CATHERINE STREET COMBINED OVERFLOW TANK					
TOTAL				7,578,149.00	7,516,560.00

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-241

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	615,560.00	188,998.12	188,998.12	993,556.24
2003	3.750	636,000.00	179,380.00	179,380.00	994,760.00
2004	4.250	659,000.00	167,455.00	167,455.00	993,910.00
2005	4.625	687,000.00	153,451.25	153,451.25	993,902.50
2006	5.000	719,000.00	137,564.37	137,564.37	994,128.74
2007	5.250	755,000.00	119,589.37	119,589.37	994,178.74
2008	5.500	793,000.00	99,770.62	99,770.62	992,541.24
2009	5.750	836,000.00	77,963.12	77,963.12	991,926.24
2010	5.875	883,000.00	53,928.12	53,928.12	990,856.24
2011	6.000	<u>933,000.00</u>	<u>27,990.00</u>	<u>27,990.00</u>	<u>988,980.00</u>
TOTAL		<u>\$7,516,560.00</u>	<u>\$1,206,089.97</u>	<u>\$1,206,089.97</u>	<u>\$9,928,739.94</u>

CITY OF HAMILTON

BY-LAW NO. 01-242

A By-law to authorize the issue of Debentures in the principal amount of \$4,523,530 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-080 issued sinking fund debentures in the aggregate principal amount of \$46,000,000 which matured on October 4, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$34,009,345 of which \$4,561,191 was for the purposes set forth in Schedule "A" attached hereto;

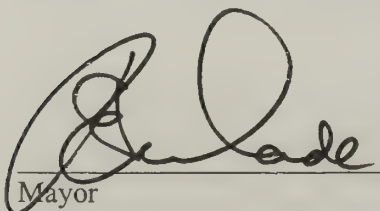
AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$4,523,530 (\$1,931,350 of which may be refunded at maturity) maturing in varying instalments of principal over a period of 10 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

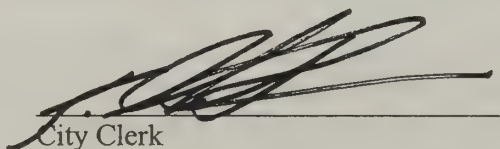
1. The borrowing of \$4,523,530 (\$1,931,350 of which may be refunded at maturity by the issue of refunding debentures) for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2011, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 25 and October 25 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B". Upon maturity of the Debentures, refunding debentures in the aggregate principal amount of \$1,931,350 (hereinafter called the "Refundable Debentures") may be issued in the respective amounts set out in parenthesis in Column (6) of Schedule "A" over the respective term of years set out in Column (7) of Schedule "A".

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. For the payment of the principal of (other than the amount in the final year of maturity to be refunded by the issue of refunding debentures) and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BYLAW 01-242
TERM: 15 YEARS

(1)	(2)	(3)	(4)	(5)	(6)	(7)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	ONTARIO MUNICIPAL BOARD NUMBER DATE	R96-078 PERMITTED REFINANCING LIMITS	DEBENTURES TO BE ISSUED HEREUNDER (AMOUNT OF REFUNDABLE DEBENTURES)	AUTHORIZED TERM IN YEARS OF REFUNDABLE DEBENTURES
PROJECTS TO BE REFINANCED FROM BYLAW R98-078 RENOVATIONS - MACASSA AND WENTWORTH LODGES	15	R98-079	E890038 APR 18/89	4,581,181	4,523,530	5
TOTAL				4,581,181.00	4,523,530.00	(1,931,350)

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-242

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	211,466.00	123,150.79	123,150.79	457,767.58
2003	3.750	218,403.00	119,846.63	119,846.63	458,096.26
2004	4.250	226,523.00	115,751.58	115,751.58	458,026.16
2005	4.625	236,438.00	110,937.96	110,937.96	458,313.92
2006	5.000	247,769.00	105,470.33	105,470.33	458,709.66
2007	5.250	260,138.00	99,276.11	99,276.11	458,690.22
2008	5.500	273,735.00	92,447.49	92,447.49	458,629.98
2009	5.750	288,843.00	84,919.77	84,919.77	458,682.54
2010	5.875	305,462.00	76,615.54	76,615.54	458,693.08
2011	6.000	<u>2,254,753.00</u>	<u>67,642.59</u>	<u>67,642.59</u>	<u>2,390,038.18</u>
TOTAL		<u>\$4,523,530.00</u>	<u>\$996,058.79</u>	<u>\$996,058.79</u>	<u>\$6,515,647.58</u>

CITY OF HAMILTON

BY-LAW NO. 01-243

A By-law to authorize the issue of Debentures in the principal amount of \$13,383,000 for the purposes of the Hamilton-Wentworth District School Board herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-080 issued sinking fund debentures in the aggregate principal amount of \$46,000,000 which matured on October 4, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$34,009,345 of which \$13,419,423 was for the purposes of the Hamilton-Wentworth District School Board (the "Board") as set forth in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$13,383,000 (\$5,713,958 of which may be refunded at maturity) maturing in varying instalments of principal over a period of 10 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

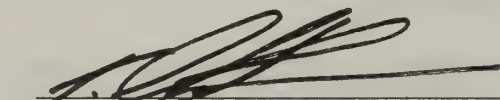
1. The borrowing of \$13,383,000 (\$5,713,958 of which may be refunded at maturity by the issue of refunding debentures) for the purposes of the Board set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2011, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 25 and October 25 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B". Upon maturity of the Debentures, refunding debentures in the aggregate principal amount of \$5,713,958 (hereinafter called the "Refundable Debentures") may be issued in the respective amounts set out in parenthesis in Column (6) of Schedule "A" over the respective term of years set out in Column (7) of Schedule "A".

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. (a) There shall be raised in each year of the currency of the Debentures the sums of principal and interest falling due on the Debentures as set out in Schedule "B" and the said sums shall be and the same are hereby imposed as a debt due to the City by the Board. The Board shall on or before each due date in each year of the currency of the Debentures pay out of its general revenue to the City the principal and interest coming due on the Debentures in each such year.
- (b) The Board shall provide in its estimates for each fiscal year for setting aside out of its general revenue in the fiscal year the amount necessary to pay to the City the amount of the principal and interest coming due on the Debentures in the fiscal year.
- (c) To the extent that such amounts are not paid to the City by the Board as aforesaid, there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied than is required after taking into account amounts paid by the Board to the City.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BYLAW 01-243
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD
TERM: 15 YEARS

(1) PROJECT	(2) TERM IN YEARS	(3) AUTHORIZING RESOLUTION	(4) MINISTRY OF EDUCATION & TRAINING ----- NUMBER		(5) R96-079 PERMITTED REFINANCING LIMITS	(6) DEBENTURES TO BE ISSUED HEREUNDER (AMOUNT OF REFUNDABLE DEBENTURES)		(7) AUTHORIZED TERM IN YEARS OF REFUNDABLE DEBENTURES
			NUMBER	DATE		\$	\$	
PROJECTS TO BE REFINANCED FROM BYLAW R96-079 CONSTRUCTION OF A GYMNASIUM ADDITION TO MARY HOPKINS SCHOOL	15	OCT 24/94			917,886	1,064,000	915,395 (390,833)	5
1995 PORTABLE PROJECTS	15	JUN 12/96			926,353	1,094,000	923,839 (394,439)	5
NEW SALT FLEET HIGH SCHOOL	15	JUN 24/95			9,780,057	11,550,000	9,753,511 (4,164,325)	5
GLENDAL SECONDARY SCHOOL PHASE II	15	SEPT 5/96			1,795,127	2,120,000	1,790,255 (764,361)	5
TOTAL					13,419,423	15,848,000	13,383,000 (5,713,958)	

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-243

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	625,627.00	364,345.33	364,345.33	1,354,317.66
2003	3.750	646,152.00	354,569.91	354,569.91	1,355,291.82
2004	4.250	670,176.00	342,454.56	342,454.56	1,355,085.12
2005	4.625	699,509.00	328,213.32	328,213.32	1,355,935.64
2006	5.000	733,031.00	312,037.18	312,037.18	1,357,105.36
2007	5.250	769,627.00	293,711.40	293,711.40	1,357,049.80
2008	5.500	809,854.00	273,508.69	273,508.69	1,356,871.38
2009	5.750	854,551.00	251,237.71	251,237.71	1,357,026.42
2010	5.875	903,718.00	226,669.37	226,669.37	1,357,056.74
2011	6.000	<u>6,670,755.00</u>	<u>200,122.65</u>	<u>200,122.65</u>	<u>7,071,000.30</u>
TOTAL		<u>\$13,383,000.00</u>	<u>\$2,946,870.12</u>	<u>\$2,946,870.12</u>	<u>\$19,276,740.24</u>

CITY OF HAMILTON

BY-LAW NO. 01-244

A By-law to authorize the issue of Debentures in the principal amount of \$30,000,000 for the purposes of the City of Hamilton herein referred to.

WHEREAS the works described in Schedule "A" attached hereto have been duly authorized;

AND WHEREAS it is now deemed necessary to issue and sell debentures in aggregate principal amount of \$30,000,000 (\$12,808,692 of which may be refunded at maturity) maturing in varying instalments of principal over a period of 10 years which is the amount of debt intended to be created by this By-law.

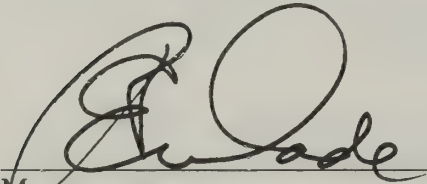
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

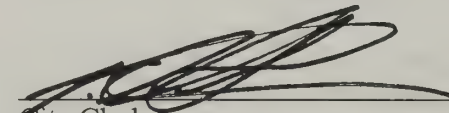
1. The borrowing of \$30,000,000 (\$12,808,692 of which may be refunded at maturity by the issue of refunding debentures) for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2011, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 25 and October 25 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B". Upon maturity of the Debentures, refunding debentures in the aggregate principal amount of \$12,808,692 (hereinafter called the "Refundable Debentures") may be issued in the respective amounts set out in parenthesis in Column (8) of Schedule "A" over the respective term of years set out in Column (9) of Schedule "A".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be

registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of (other than the amount in the final year of maturity to be refunded by the issue of refunding debentures) and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor

City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW 1-244

TERM: 15 YEARS

(1) PROJECT	(2) TERM IN YEARS	(3) AUTHORIZING RESOLUTION	(4) COUNCIL APPROVAL	(5) AMOUNT OF DEBENTURES AUTHORIZED	(6) DEBENTURES ISSUED TO AUTHORIZATION DATE	(7) DEBENTURES OUTSTANDING TO AUTHORIZATION	(8) DEBENTURES TO BE ISSUED IN 2001 (AMOUNT OF REFUNDABLE DEBENTURES)	(9) AUTHORIZED TERM IN YEARS OF REFUNDABLE DEBENTURES
HA - 1998 ROAD RECONSTRUCTION PROGRAM	15	98-184	30-Jun-98	\$ 6,519,000	\$ 6,519,000	\$ 0	\$ 6,519,000	5
HA - CITY PLACES-DOWNTOWN CAPITAL CONTRIBUTION	15	98-184	30-Jun-98	\$ 1,500,000	\$ 1,500,000	\$ 0	\$ 1,500,000	5
HA - CORPORATE FINANCIAL INFORMATION SYSTEM	15	98-184	30-Jun-98	\$ 1,981,000	\$ 1,981,000	\$ 0	\$ 1,981,000	5
HA - DOWNTOWN HAMILTON IMPROVEMENT PLAN - PHASE II	15	98-184	30-Jun-98	\$ 1,532,000	\$ 1,532,000	\$ 0	\$ 1,532,000	5
HA - CHEDOKE TWIN PAD ARENA REMEDIAL & OPERATIONAL IMPROVEMENTS	15	98-184	30-Jun-98	\$ 250,000	\$ 250,000	\$ 0	\$ 250,000	5
HA - CUP - REPAIRS TO MAIN HEATING BOILERS	15	98-184	30-Jun-98	\$ 100,000	\$ 100,000	\$ 0	\$ 100,000	5
HA - RISK MANAGEMENT-VARIOUS FACILITIES	15	98-184	30-Jun-98	\$ 110,000	\$ 110,000	\$ 0	\$ 110,000	5
HA - WESTDALE BRANCH LIBRARY RENOVATIONS	15	97-093	29-Apr-97	\$ 400,000	\$ 200,000	\$ 200,000	\$ 200,000	5
HA - BARTON BRANCH LIBRARY RENOVATIONS	15	97-093	29-Apr-97	\$ 457,000	\$ 457,000	\$ 0	\$ 457,000	5
HA - 1997 ROAD RECONSTRUCTION PROGRAM	15	97-093	29-Apr-97	\$ 7,371,000	\$ 4,828,600	\$ 2,542,400	\$ 2,542,400	5
HA - DOWNTOWN PHASE OF FERGUSON AVE MASTER PLAN	15	97-093	29-Apr-97	\$ 780,000	\$ 37,000	\$ 743,000	\$ 743,000	5
HA - HAMILTON HARBOUR WATERFRONT TRAIL - PHASE I	15	97-093	29-Apr-97	\$ 1,000,000	\$ 0	\$ 1,000,000	\$ 1,000,000	5
HA - 1998 ROAD RECONSTRUCTION PROGRAM	15	98-050	28-Mar-98	\$ 4,524,000	\$ 3,935,600	\$ 588,400	\$ 588,400	5
HA - T.B. MCQUESTON PARK	15	92-216	25-Aug-92	\$ 7,353,000	\$ 300,000	\$ 7,053,000	\$ 1,030,000	5
HA - STEAM MUSEUM PUMPHOUSE RESTORATION	15	92-213	25-Aug-92	\$ 550,000	\$ 28,800	\$ 521,200	\$ 521,200	5
SC - RECONSTRUCTION OF HOMESIDE AVE	15	4605-97	9-Sep-97	\$ 390,000	\$ 390,000	\$ 0	\$ 390,000	5
SC - RECONSTRUCTION OF ROYCE AVE	15	4605-97	9-Sep-97	\$ 320,000	\$ 320,000	\$ 0	\$ 320,000	5
SC - RECONSTRUCTION OF MARGARET AVE	15	4965-99	13-Jul-99	\$ 660,000	\$ 660,000	\$ 0	\$ 660,000	5
SC - RECONSTRUCTION OF DEWITT ROAD/ESCARPMENT ACCESS	15	4964-99	13-Jul-99	\$ 530,000	\$ 530,000	\$ 0	\$ 530,000	5
SC - RECONSTRUCTION OF CHERRYWOOD DRIVE/AND PIOTT COURT	15	4964-99	13-Jul-99	\$ 436,000	\$ 436,000	\$ 0	\$ 436,000	5
SC - RECONSTRUCTION OF BLENHEIM AVENUE	15	4989-99	31-Aug-99	\$ 150,000	\$ 150,000	\$ 0	\$ 150,000	5
SC - RECONSTRUCTION OF CHESTER ROAD	15	4989-99	31-Aug-99	\$ 170,000	\$ 170,000	\$ 0	\$ 170,000	5
SC - RECONSTRUCTION OF WARWICK ROAD	15	4989-99	31-Aug-99	\$ 175,000	\$ 175,000	\$ 0	\$ 175,000	5
SC - RECONSTRUCTION OF NORWICH ROAD	15	4989-99	31-Aug-99	\$ 165,000	\$ 165,000	\$ 0	\$ 165,000	5
SC - RECONSTRUCTION OF DEERHURST ROAD	15	4989-99	31-Aug-99	\$ 460,000	\$ 460,000	\$ 0	\$ 460,000	5
SC - RECONSTRUCTION OF LAKEVIEW DRIVE/NORTH SERVICE ROAD	15	5206-00	10-Oct-00	\$ 275,000	\$ 275,000	\$ 0	\$ 275,000	5
SC - RECONSTRUCTION OF TRINITY CHURCH ROAD	15	5206-00	10-Oct-00	\$ 1,050,000	\$ 1,050,000	\$ 0	\$ 1,050,000	5
SC - RECONSTRUCTION OF GLOVER ROAD	15	5206-00	10-Oct-00	\$ 70,000	\$ 70,000	\$ 0	\$ 70,000	5
SC - RECONSTRUCTION OF BATTLEFIELD DRIVE/ALBA TO KING	15	5206-00	10-Oct-00	\$ 450,000	\$ 450,000	\$ 0	\$ 450,000	5
SC - RECONSTRUCTION OF UPPER WALKER/ALBA TO DOUGLAS	15	5206-00	10-Oct-00	\$ 300,000	\$ 300,000	\$ 0	\$ 300,000	5
SC - RECONSTRUCTION OF MOUNTAIN AVENUE/SOUTH/MAPLE TO TREVOR	15	5206-00	10-Oct-00	\$ 175,000	\$ 175,000	\$ 0	\$ 175,000	5
SC - RECONSTRUCTION OF TOWN SQUARE	15	5206-00	10-Oct-00	\$ 150,000	\$ 150,000	\$ 0	\$ 150,000	5
RENNIE STREET LANDFILL REMEDIATION	15		19-Jun-01	\$ 9,900,000	\$ 9,900,000	\$ 0	\$ 9,900,000	5
TOTALS				\$ 50,253,000	\$ 40,923,000	\$ 30,000,000	\$ (12,808,692)	5

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-244

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	1,402,437.00	816,734.67	816,734.67	3,035,906.34
2003	3.750	1,448,445.00	794,821.59	794,821.59	3,038,088.18
2004	4.250	1,502,301.00	767,663.24	767,663.24	3,037,627.48
2005	4.625	1,568,053.00	735,739.35	735,739.35	3,039,531.70
2006	5.000	1,643,200.00	699,478.12	699,478.12	3,042,156.24
2007	5.250	1,725,235.00	658,398.12	658,398.12	3,042,031.24
2008	5.500	1,815,411.00	613,110.70	613,110.70	3,041,632.40
2009	5.750	1,915,606.00	563,186.90	563,186.90	3,041,979.80
2010	5.875	2,025,820.00	508,113.22	508,113.22	3,042,046.44
2011	6.000	<u>14,953,492.00</u>	<u>448,604.76</u>	<u>448,604.76</u>	<u>15,850,701.52</u>
TOTAL		<u>\$30,000,000.00</u>	<u>\$6,605,850.67</u>	<u>\$6,605,850.67</u>	<u>\$43,211,701.34</u>

CITY OF HAMILTON

BY-LAW NO. 01-245

A By-law to authorize the issue of Debentures in the aggregate principal amount of \$63,830,000 for the purposes herein referred to.

WHEREAS the Council of the City of Hamilton (the "City") has passed the following By-laws to authorize the issue of Debentures dated October 25, 2001 and maturing in varying instalments of principal on October 25 in the following respective years, namely:

<u>By-law Number</u>	<u>Principal Amount</u>	<u>Years of Maturity</u>	<u>Purpose</u>
01-240	\$8,406,910	2002 – 2006	City – refunding
01-241	\$7,516,560	2002 – 2011	City - various purposes – refunding
01-242	\$4,523,530	2002 – 2011	City - various works – refunding
01-243	\$13,383,000	2002 – 2011	Hamilton-Wentworth District School Board – refunding
01-244	\$30,000,000	2002 – 2011	City - various works

AND WHEREAS no Debentures have been issued under the authority of any of said By-laws;

AND WHEREAS instead of borrowing money by the issue and sale of Debentures under said By-laws, it is deemed desirable to provide for the borrowing of money under the authority of this By-law for the purposes referred to in said By-laws by the issue and sale of one series of Debentures in the aggregate principal amount of \$63,830,000 (\$20,454,000 of which may be refunded at maturity), bearing interest at the rates hereinafter set forth and payable in varying instalments of principal on October 25 in the years 2002 to 2011, inclusive, which is the amount of debt intended to be created by this By-law.

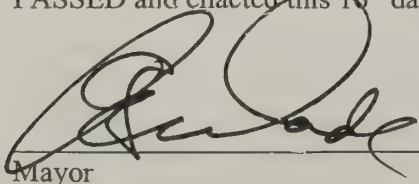
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The sums authorized to be borrowed by By-laws Nos. 01-240 to 01-244 inclusive are hereby consolidated into one sum and for the purposes referred to in said By-laws, money shall be borrowed upon the credit of the City at large by the issue and sale of one series of Debentures of the City in the aggregate principal amount of \$63,830,000 (\$20,454,000 of which may be refunded at maturity by the issue of refunding debentures) to be issued under the authority of this By-law.
2. The Debentures shall be dated October 25, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, and shall be sealed and signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on October 25 in each of the years 2002 to 2011, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "A", such interest being payable semi-annually on April 25 and

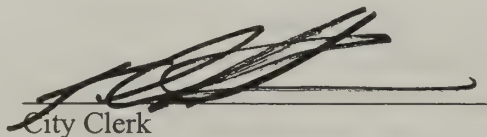
October 25 in each year of the currency of the Debentures commencing April 25, 2002 and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "A". Upon maturity of the Debentures, refunding debentures in the aggregate principal amount of \$20,454,000 (hereinafter called the "Refundable Debentures") may be issued in respective amounts and for the respective term of years set forth in underlying debenture By-laws Nos. 01-242 to 01-244 inclusive.

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. The Treasurer is hereby authorized to complete the sale of the Debentures in accordance with an agreement dated October 11, 2001 with RBC Dominion Securities Inc. and CIBC World Markets Inc., and to enter into a letter of representations agreement with CDS and generally do all things and execute all documents as required to complete the issue and sale of the Debentures.
6. Schedule "A" attached is hereby declared to be and to form part of this By-law.

PASSED and enacted this 16th day of October, 2001.



Mayor



City Clerk

CITY OF HAMILTON
SCHEDULE "A" TO BY-LAW NO. 01-245

Year	Interest Rate (%)	Principal (\$) October 25	Interest (\$) April 25	Interest (\$) October 25	Total Annual Payment (\$)
2002	3.125	4,418,000.00	1,669,147.50	1,669,147.50	7,756,295.00
2003	3.750	4,561,000.00	1,600,116.25	1,600,116.25	7,761,232.50
2004	4.250	4,728,000.00	1,514,597.50	1,514,597.50	7,757,195.00
2005	4.625	4,932,000.00	1,414,127.50	1,414,127.50	7,760,255.00
2006	5.000	5,164,000.00	1,300,075.00	1,300,075.00	7,764,150.00
2007	5.250	3,510,000.00	1,170,975.00	1,170,975.00	5,851,950.00
2008	5.500	3,692,000.00	1,078,837.50	1,078,837.50	5,849,675.00
2009	5.750	3,895,000.00	977,307.50	977,307.50	5,849,615.00
2010	5.875	4,118,000.00	865,326.25	865,326.25	5,848,652.50
2011	6.000	<u>24,812,000.00</u>	<u>744,360.00</u>	<u>744,360.00</u>	<u>26,300,720.00</u>
TOTAL		<u>\$63,830,000.00</u>	<u>\$12,334,870.00</u>	<u>\$12,334,870.00</u>	<u>\$88,499,740.00</u>

Deb Bylaw consolidating

Authority: Item 11(c), 26th Report of the Planning
and Development Committee (PDC99153)
CM: December 14, 1999

Bill No. 246

City of Hamilton

BY-LAW No. 01-246

To Extend By-law No. 99-160,
As amended by by-law 00-164

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN A PORTION OF
"WELLINGTON ESTATES – PHASE I" — PLAN 62M-885

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

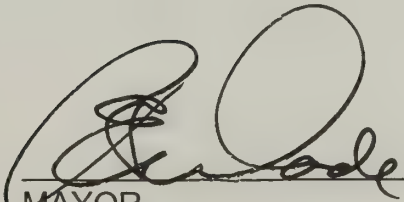
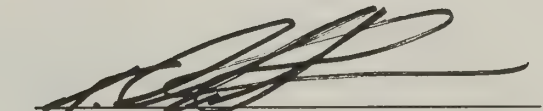
1. Subsection 2.(c) of By-law 99-160, as amended by By-law 00-164, is hereby repealed and the following substituted therefor:
 - “(c) Other than Lots 1 – 5, inclusive, Lot 13, inclusive and Blocks 27 and 28, inclusive, Registered Plan 62M-855, this By-law shall no longer be of any force and effect. As it relates to Lots 1 – 5, inclusive, Lot 13, inclusive and Blocks 27 and 28, inclusive, Registered Plan 62M-855, this By-law expires on November 1, 2002.

By-law to extend removal of a portion of
"Wellington Estates – Phase 1", Plan 62M-885
from Part Lot Control

3

2. In all other respects, By-law 99-160, as amended by By-law 00-164, is hereby confirmed, unchanged.
3. Where this By-law has been enacted it shall be registered on title to the land described in section 1 of By-law 99-160.

PASSED this 16th day of October 2001.


MAYOR
CITY CLERK

839891 Ontario Inc., owner,
PLC-99-07

THE CITY OF HAMILTON

BY-LAW NO. 01-247

To Confirm the Proceedings of City Council at its meeting held on October 16, 2001

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

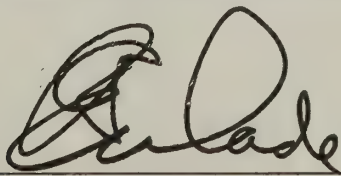
1. The Action of City Council at its meeting held on the 16th of October, 2001 in respect of each recommendation contained in:

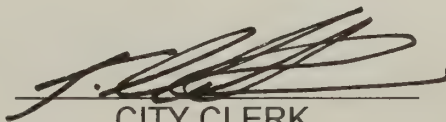
Report 01-005 of the Grants Sub Committee,	
Report 01-025 of the Hearings Sub Committee,	
Report 01-026 of the Hearings Sub Committee,	as amended
Report 01-032 of the Committee of the Whole,	
Report 01-033 of the Committee of the Whole,	as amended

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 16th day of October, 2001


MAYOR


CITY CLERK

Authority: Item 4(b), Committee of the Whole
Report 01-033 (PD01187)
CM: October 16, 2001

Bill No. 249

City of Hamilton

BY-LAW NO. 01-249

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"PALOMINO RANCH ESTATES PHASE 2"
REGISTERED PLAN OF SUBDIVISION 62M-901**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Town of Flamborough" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS Subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part lot control on land within a registered plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

By-law to remove lands within "Palomino Ranch Estates, Phase 2"
Subdivision, Plan 62M-901 from Part Lot Control

2

- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorised to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of facilitating the adjustment of property lines for single detached dwellings shall not apply to the following lands:

Lots "30", "31" and "32", Registered Plan No. 62M-901, in the former Town of Flamborough.

2. This By-law shall expire on December 31, 2002.

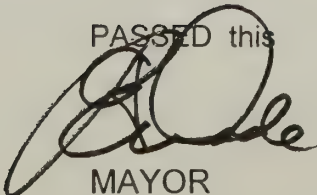
PASSED this

30th

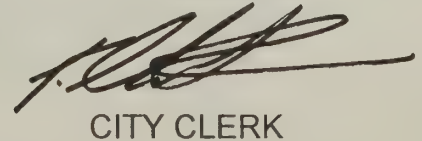
day of

October

A.D. 2001



MAYOR



CITY CLERK

Authority: 11(c), 26th Report of the
Planning and Development
Committee (PDC99153)
CM: December 14, 1999

Bill No. 250

City of Hamilton

BY-LAW NO. 01-250

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"MEADOWBROOK MANORS PHASE 2"
REGISTERED PLAN OF SUBDIVISION 62M-881**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Town of Ancaster" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS Subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part lot control on land within a registered plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

- (7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorised to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 10 parcels of land for semi-detached dwellings shall not apply to the following lands:

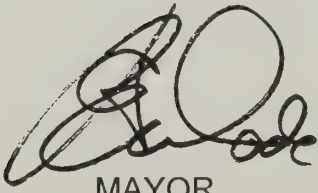
Lots "16", "17", "47", "49" and "51", Registered Plan No. 62M-881, in the former Town of Ancaster.

By-law to remove lands within "Meadowbrook Manors, Phase 2",
Plan 62M-881 from Part-Lot Control

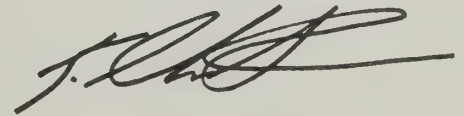
3

2. (a) Where as this by-law has been enacted it shall be registered on title to the land described in paragraph one (1) above.
- (b) This By-law shall expire on November 1, 2002.

PASSED this 30th day of October A.D. 2001



MAYOR



CITY CLERK

Jerseyville Farms Limited
PLC-01-13

Authority: Item 11(c), 26th Report of the Planning
and Development Committee (PDC99153)
CM: December 14, 1999

Bill No. 251

City of Hamilton

BY-LAW No. 01-251

Respecting:

**REMOVAL OF PART LOT CONTROL
WITHIN A PORTION OF
"GLANCASTER MEADOWS" — PLAN 62M-932**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

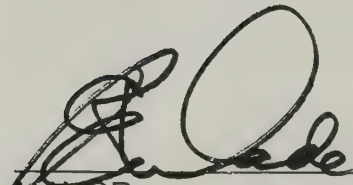
- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

By-law to remove a portion of
"Glancaster Meadows", Plan 62M-932
from Part Lot Control

3

3. This By-law shall cease, expire and be of no further effect on December 2nd, 2002.

PASSED this 30th day of October A.D. 2001


MAYOR
CITY CLERK

- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period ſpecified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land deſcribed in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the ſubject of this By-law was, as of January 1ſt, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton ſtands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is veſted in the City of Hamilton, as contemplated by ſection 50 (7.2) of the Act, becauſe the City is, pursuant to ſection 51(6) of the Planning Act, the approval authority for plans of ſubdiviſion;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subſection 5 of Section 50 of the Planning Act, for the purpoſe of permitting the individual ſale of individual lots for ſemi-detached dwellings, ſhall not apply to the following deſignated lands:

Lots 49 and 50, Registered Plan No. 62M-932,
in the City of Hamilton (Glanbrook).
2. This by-law ſhall be registered on title to the ſaid land and ſhall come into force and effect on the date of ſuch registration.

CITY OF HAMILTON

BY-LAW NO. 01-252

**For Participation by a Municipality in OMERS
In respect of Employees**

WHEREAS pursuant to subsection 15(1) of the *OMERS Act*, R.S.O. 1990, Chapter 0.29 and Regulation 890 as amended, a municipality may, by by-law, elect to participate in OMERS on behalf of its employees and pay to the OMERS Pension Fund the total of the employer and member contributions, and has all the powers necessary and incidental thereto:

NOW THEREFORE the Council of the City of Hamilton (the Employer) enacts as follows:

1. That the City Of Hamilton hereby elects to participate in OMERS in respect of its employees as of the first day of January, 2001, the "effective date", and authorizes the Clerk of the City of Hamilton to submit forthwith this election in writing by providing a certified copy of this by-law to the President of the Ontario Municipal Employees Retirement Board.
2. Every employee of the City of Hamilton who, on December 31, 2000 was employed by the:

Town of Ancaster (Group No. 017000)
Town of Dundas (Group No's. 166000 & 166066)
Town of Flamborough (Group No. 204800)
Town of Glanbrook (Group No. 224200)
City of Hamilton (Group No. 249000)
City of Stoney Creek (Group No. 531000)
Region of Hamilton-Wentworth (Group No. 249300)

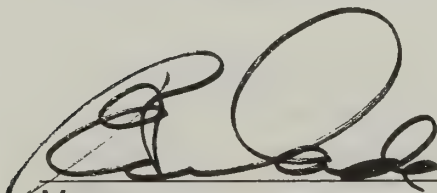
and who was or was entitled to become a member of OMERS on January 1, 2001 shall continue such membership or membership entitlement from January 1, 2001 while employed by the City of Hamilton.

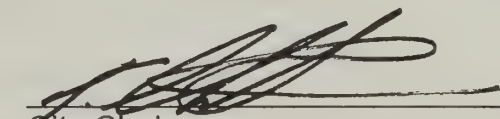
3. Every person who becomes an employee of the City of Hamilton on or after the effective date, if such person is employed on a continuous full-time basis, shall as a condition of employment become a member of OMERS, or if such person is already a member, resume contributions to OMERS on the date so employed.

4. The General Manager of Finance and Corporate Services of the City of Hamilton is hereby authorized to deduct from the contributory earnings of each employee who is a member of OMERS, the contributions required to be made by the member, and to remit such contributions together with the amounts required under the *OMERS Act* to be paid by the City of Hamilton to the OMERS Fund.
5. The General Manager of Finance and Corporate Services is hereby authorized to execute all necessary documents and to do all such things as are necessary to carry out the intent of this By-law, in accordance with Section 6 of the OMERS Regulation.

This By-law shall come into force and take effect as of January 1, 2001.

PASSED and enacted this 30th day of October, 2001.



Mayor

City Clerk

City of Hamilton

BY-LAW NO. 01- 253

To Amend:

By-law 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act; R.S.O. 1990, Chapter H.8, as amended.

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality of the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72 as amended;

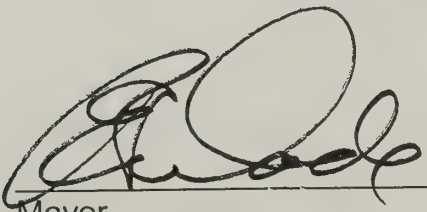
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 25 (Parking Time Limits) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

"Aberdeen North from 105 feet west of 3 hr 8 am - 5 pm Mon - Fri"
Bay to Hilton

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 30th day of October, 2001.



Mayor

City Clerk

CERTIFIED A TRUE COPY



KEVIN C. CHRISTENSON, CITY CLERK

City of Hamilton

BY-LAW NO. 01-254

To Amend:

By-law No. 01-218

TO REGULATE ON-STREET PARKING

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Aberdeen North from 105 ft. west of Bay 3 hr. 8 am - 5 pm Mon - Fri"
to Hilton

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "C" thereof the following item, namely:

"Middletown Rd. East Safari Rd. to 100m northerly Anytime"

and by deleting from Section "C" thereof the following item, namely:

"Middletown Rd. East Safari Rd. to 151 feet northerly Anytime"

and by adding to Section "E" thereof the following item, namely:

"Marilyn	East & South	107 feet north of Rymal to 48 feet east of the extended east curb line of Marilyn	Anytime"
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3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Catharine	East	156 feet north of Ferrie to 18 feet northerly	Anytime
Land	North	99 feet east of Wentworth to 20 feet easterly	Anytime
Biggar	North	537 feet west of Lottridge to 20 feet westerly	Anytime
Garside	East	117 feet south of Roxborough to 19 feet southerly	Anytime
Fairfield	East	213 feet south of Vansitmart to 22 feet southerly	Anytime
Graham	West	90 feet south of Central to 21 feet southerly	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"Biggar	North	541 feet west of Lottridge to 16 feet westerly	Anytime"
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4. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Collegiate Ave.	North	57.6m west of the extended west curb line of Evergreen Ave. to 28.4m east of the extended east curb line of Evergreen Ave.	7:00 a.m. - 6:00 p.m. Monday to Saturday
Collegiate Ave.	South	36.8m west of Evergreen Ave to 25m east of Evergreen Ave.	Anytime
Lincoln Rd.	West	21.6m north of the extended north curb line of Hazelwood Dr. to 17.4m south of the extended south curb line of Hazelwood Dr.	Anytime

Lincoln Rd.	East	Carpenter Ave. to 61m north of Hazelwood Drive	8:30 a.m. - 4:30 p.m. Monday to Friday"
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and by deleting from Section "F" thereof the following items, namely:

"Collegiate Avenue	Both	From a point 40m west of Evergreen to a point 58m east of Evergreen	8:00 a.m. to 4:30 p.m. Monday to Friday
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Lincoln Road	West	From Carpenter Avenue to a point 16 metres north of Hazelwood Drive	8:00 a.m. to 5:00 p.m. Monday to Friday
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Lincoln Road	East	From Carpenter Avenue to a point 61 metres north of Hazelwood Drive	8:00 a.m. to 5:00 p.m. Monday to Friday"
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and by adding to Section "G" thereof the following item, namely:

"Barton	North	Milton to 135 feet westerly	Anytime"
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5. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"East 24th	East	25 feet	commencing 102 feet south of Crockett	Anytime
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Benvenuto	South	25 feet	253 feet east of Spadara on south branch	Anytime"
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6. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section G thereof the following item, namely:

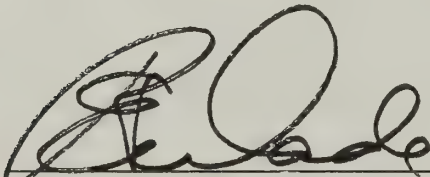
"Kenilworth	East	78 feet north of Newlands to to 44 feet northerly	9:00 a.m. - 5:00 p.m. Monday to Saturday"
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7. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

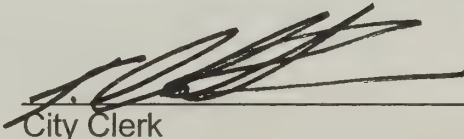
"Collegiate Ave.	North 28.4m east of the extended east curb line of Evergreen to 30.5m easterly	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 30th day of October, 2001.



Mayor



City Clerk

Authority: Item 1.0 Hearing Sub-Committee
Report 01-009 (PDO1079)
CM: May 1, 2001

Bill No. 255

City of Hamilton

BY-LAW NO. 01-255

To Amend:

Zoning By-law No. 6593 (Hamilton)
As Amended by Zoning By-laws No. 83-225 and 84-24 (Hamilton)

Respecting:

LANDS LOCATED AT 374 MOHAWK ROAD EAST

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-225 (Hamilton) on the 27th day of July, 1983 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593 (Hamilton), for the "H" (Community Shopping and Commercial, etc.) District, in respect of the above-captioned land, which by-law came into force on the day it was passed in accordance with the Planning Act;

By-law Respecting 374 Mohawk Road East

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-24 (Hamilton) on the 1st day of February, 1984, to amend By-law No. 83-225, in accordance with a decision of the Ontario Municipal Board, dated January 17, 1984 (File No. R 831567).

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 01-009 of the Hearings Sub Committee at its meeting held on the 1st day of May, 2001, recommended that Zoning By-law No. 6593 (Hamilton), as amended by By-laws No. 83-225 (Hamilton) and 84-24 (Hamilton), be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 83-225 (Hamilton), as amended by By-law No. 84-24 (Hamilton), applicable to the subject lands, is further amended as follows:
 - (a) Clause (a) of Section 1 of By-law No. 83-225 is hereby deleted and replaced by the following:

“(a) by changing from “C” (Urban Protected Residential, etc.) District to “H – ‘H’ (Community Shopping and Commercial, etc. - Holding) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A””.
 - (b) Clause (a) of Section 2 of By-law No. 83-225 (Hamilton), as amended by By-law No. 84-24 (Hamilton), is hereby deleted and replaced by the following:

“(a) Notwithstanding Section 14(1) of By-law No. 6593, a restaurant with a maximum seating capacity of 36 seats shall be permitted only within the existing building.”
 - (c) Clauses (d) and (e) of Section 2 of By-law No. 83-225 (Hamilton), as amended by By-law No. 84-24 (Hamilton), are hereby modified by deleting reference to “Schedule “B”” and replacing it with “Schedule “A””, so the clauses read as follows:

By-law Respecting 374 Mohawk Road East

"(d) not less than 9 parking spaces shall be provided and maintained on the lot located as shown on Schedule "A" hereto annexed and forming part of this by-law;

(e) landscape area shall be provided and maintained on the lot as shown on schedule "A".

(d) By-law No. 83-225 (Hamilton), as amended by By-law No. 84-24 (Hamilton), is further amended by adding the following as Section 3 and renumbering the following sections accordingly:

"3. (a) The 'H' symbol applicable to the subject lands shall be removed conditional upon the owner applying for and receiving final approval of a Site Plan Control application; and,

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands may at such time proceed in accordance with the "H" District provisions, subject to the special requirements contained in Section 2 of this by-law, as amended by By-law No. 84-24.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1 of this by-law and section 2 of By-law No. 83-225, as amended by By-law No. 84-24.

3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S- 840b.

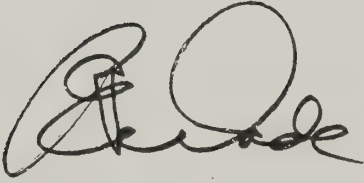
4. Sheet No. E27 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S- 840b.

5. In all other respects, By-laws No. 83-255 and 84-24 (Hamilton) are hereby confirmed, unchanged.

By-law Respecting 374 Mohawk Road East

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of October A.D. 2001



MAYOR



CITY CLERK

ZAC-01-07
Pizza Pizza, owner.



Rod = 12.19
Arc = 19.45
CD = 17.45
N63°13'00"E

MOHAWK ROAD EAST

FIELDWAY DRIVE

UPPER WENTWORTH ST

8.2m

N17°30'00"E

27.124m

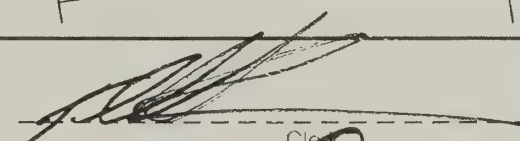
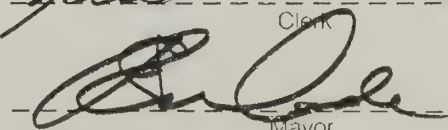
N17°30'00"E

39.62m

N71°04'00"W
21.34m

This is Schedule "A" to By-Law No. 01 - 255

Passed the 30 th day of October, 2001.


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 01-255

to Amend By-Law No. 6593



Hamilton

Planning and Development Department

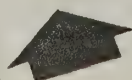
Legend



Subject Property

374 Mohawk Road East - Change in zoning from "H" (Community Shopping and Commercial, etc.) District, to "H"-H' (Community Shopping and Commercial, etc - Holding.) District,

North



Scale

NOT TO SCALE

Date

February 12, 2003.

Reference File No.

ZAC-01-07

Drawn By

NM

Authority: Item 1, Hearings Sub-Committee
Report 01-025 (PD01179)
CM: October 16, 2001

Bill No. 256

City of Hamilton

BY-LAW NO. 01-256

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED AT 324 FRUITLAND ROAD
(formerly Stoney Creek)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

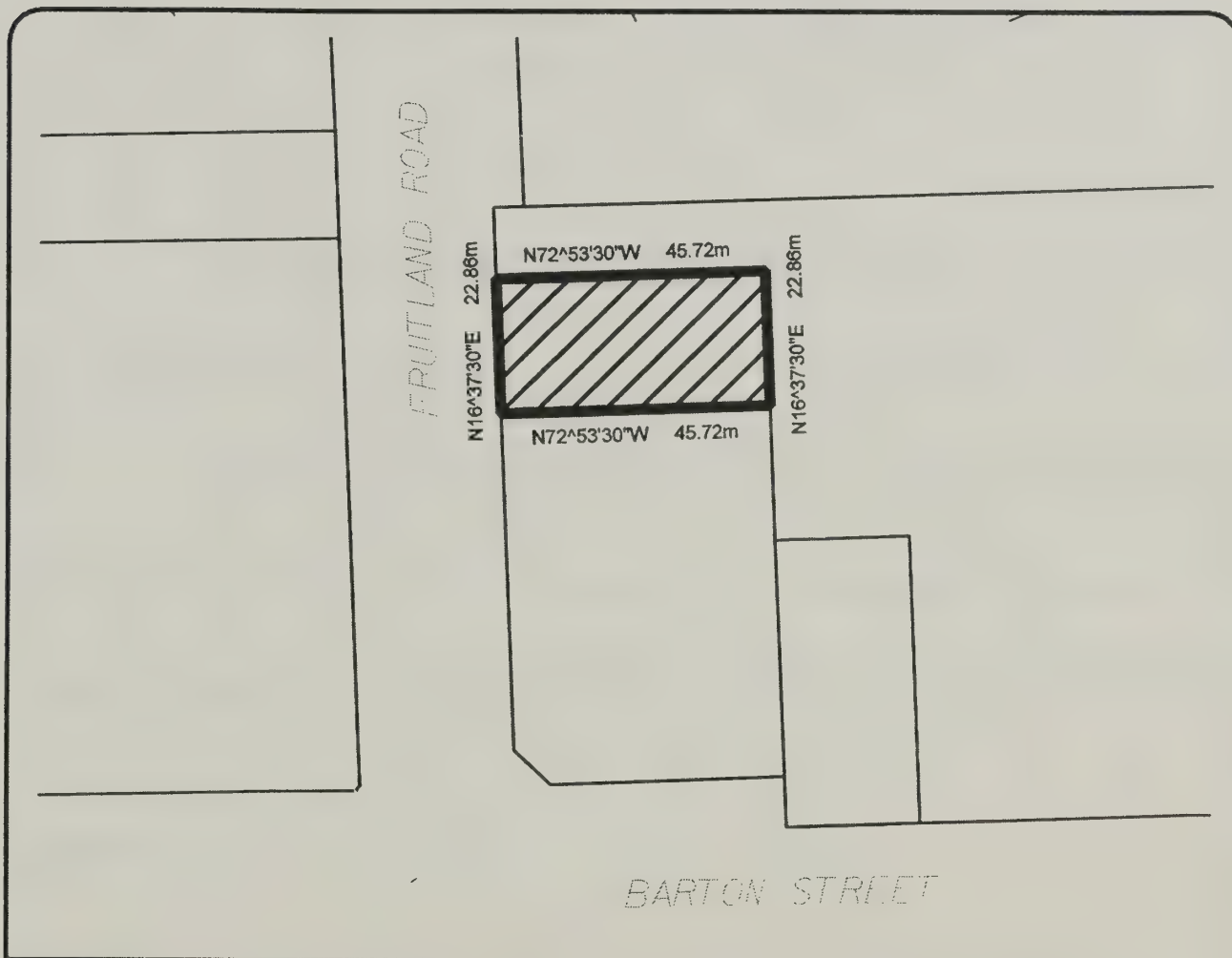
AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

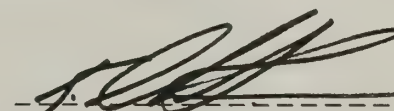
AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsections 9.6.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;



This is Schedule "A" to By-Law No. 01 -.....
 Passed the day of, 2001.



 Clerk



 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-_____

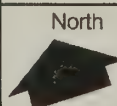
to Amend By-Law No. 3692-92

Planning and Development Department

Legend



Change in Zoning From the Special
 Purpose Industrial "MSP" Zone to
 the Special Purpose Industrial
 "MSP-20" Zone



North

Scale
NOT TO SCALE

Date
Sept. 14, 2001

Reference File No.
ZAC-01-31

Drawn By
M.C.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

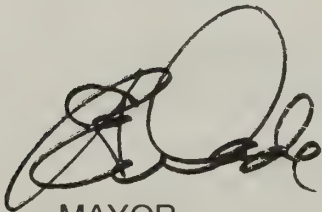
1. Map No. 2 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

(a) by changing from the Special Purpose Industrial "MSP" Zone to the Special Purpose Industrial "MSP-20" Zone, the land known as 324 Fruitland Road; and

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of October A.D. 2001



MAYOR



CITY CLERK

City of Hamilton

BY-LAW NO. 01-257

To Authorize:

1. The construction of a local improvement without petition under Section 12 of The Local Improvement Act to pave the alley from Dunsmure Road to approximately 48m southerly to the south limit of 73 Garfield South, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of Report 11-00 of the Transport and Environment Committee on June 27, 2000;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980:

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

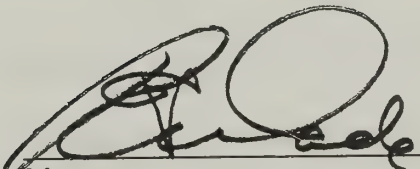
AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligations limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$22,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$7,527.52 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual installments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by the City of Hamilton.
 - (a) to the extent sufficient to provide an amount not exceeding \$7,527.52;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to the City of Hamilton.
4. The General Manager, Transportation, Operations and Environment is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works: and,
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED and enacted this 30th day of October, 2001.



Mayor

City Clerk

SCHEDULE "A"

The paving of the alley from Dunsmure Road to approximately 48m southerly to the south limit of 73 Garfield South at the costs not exceeding those set out below:

City's Share	\$14,472.48
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Owners' Share	<u>7,527.52</u>
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TOTAL ESTIMATED COST	<u>\$22,000.00</u>
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Estimated Cost per metre frontage	\$94.00
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Fifteen (15) annual instalments

THE CITY OF HAMILTON

BY-LAW NO. 01- 258

A BY-LAW TO SET OPTIONAL TAX CLASSES FOR THE YEAR 2002

WHEREAS the property classes have been prescribed by the Minister of Finance under the *Assessment Act*, c.A.31 as amended by the *Fair Municipal Finance Act 1997*, c.5 and Regulations thereto;

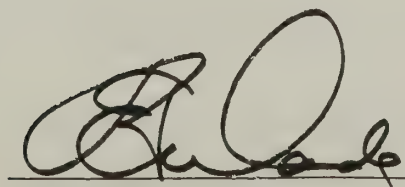
AND WHEREAS the Council of the City Of Hamilton, pursuant to the *Assessment Act*, as amended by the *Continued Protection for Property Taxpayers Act, 2000*, has the right to adopt optional property classes for the year 2002;

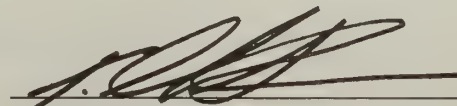
AND WHEREAS it is necessary for the Council of the City of Hamilton, pursuant to the *Assessment Act*, as amended by the *Continued Protection for Property Taxpayers Act, 2000*, to establish optional property classes for the year 2002, by the 31st day of October, 2001;

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1. For the taxation year 2002, the following optional classes as defined in Ontario Regulation 282/98 shall apply in the City of Hamilton:
 - a) parking lots and vacant land property class;
 - b) large industrial property class;
 - c) multi-residential class.
2. This By-law shall come into force and take effect as of January 1, 2002.

PASSED and enacted this 30th day of October, 2001.



Mayor

City Clerk

Bill No. 259

City of Hamilton

BY-LAW NO. 01-259

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

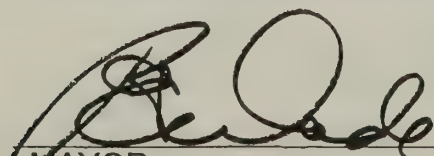
AND WHEREAS it is necessary to amend By-law No. 01-215;

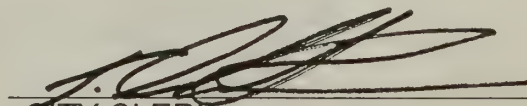
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 27 (Truck Routes) of By-law No. 01-215 is hereby amended by deleting from Section "D" thereof the following item, namely:

"Woodburn Road Highway 20 to Binbrook Road Anytime"
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 30th day of October, A.D. 2001



MAYOR

CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01-260

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 42 ON PLAN 62M-399
INTO KINGSVIEW DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Kingsview Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

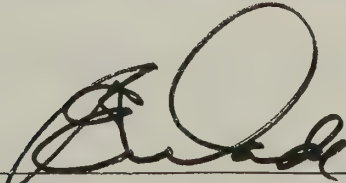
1. That the following land is hereby established and laid out as a public highway to form part of Kingsview Drive.

All of Block 42 on Plan 62M-399;

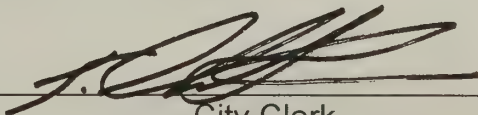
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 30th day of October A.D., 2001



Mayor



City Clerk

Bill No. 261

City of Hamilton

BY-LAW NO. 01-261

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

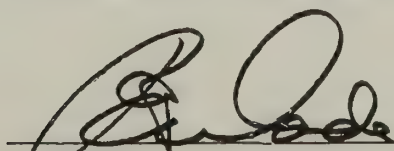
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

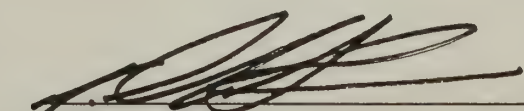
1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "F" thereof the following items, namely:

" Highland East and West Winterberry "
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 30TH day of October A.D. 2001



MAYOR



CITY CLERK

Bill No. 262

City of Hamilton

BY-LAW NO. 01- 262

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

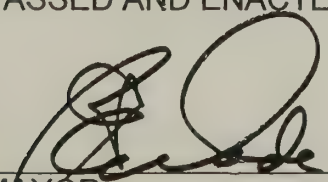
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

"Mapleridge Northbound Fano"
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 30th day of October A.D. 2001



MAYOR



CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01- 263

To Confirm the Proceedings of City Council at its meeting held on October 30, 2001

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

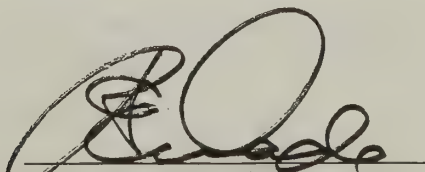
1. The Action of City Council at its meeting held on the 30th day of October, 2001 in respect of each recommendation contained in:

Report 01-027 of the Hearings Sub Committee,
Report 01-028 of the Hearings Sub Committee,
Report 01-034 of the Committee of the Whole,
Report 01-006 of the Grants Sub-Committee,

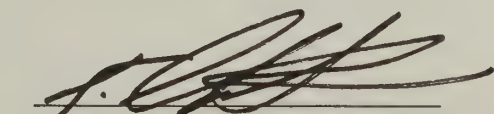
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 30th day of October, 2001



MAYOR



CITY CLERK

**THE CITY OF HAMILTON
BY-LAW NO. 01- 264**

**Being a By-law to Provide for the Fencing of
Privately-Owned Outdoor Swimming Pools**

WHEREAS Council deems it necessary to provide a single by-law providing for fencing of privately-owned outdoor swimming pools, requiring permits be obtained in approving the design and construction of enclosures, so that owners of pools can reasonably prevent unauthorized or accidental entry to their pools, as well as recognizing pool fence permits previously granted by former area municipalities;

AND WHEREAS paragraph 30 of Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides,

"For requiring owners of privately-owned outdoor swimming pools to erect and maintain fences and gates around such swimming pools, for prescribing the height and description of, and the manner of erecting and maintaining, such fences and gates, for prohibiting persons from placing water in privately-owned outdoor swimming pools or allowing water to remain therein unless the prescribed fences and gates have been erected, for requiring the production of plans of all such fences and gates, for the issuing of a permit certifying approval of such plans without which permit no privately-owned outdoor swimming pool may be excavated for or erected and for authorizing the refusal of a permit for any such fences or gates that if erected would be contrary to any by-law of the municipality.

- (a) A by-law passed under this paragraph may be made applicable to the whole municipality or to one or more defined areas thereof as set out in the by-law."

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the following former area municipalities: The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; The Corporation of the Town of Flamborough; The Corporation of the Township of Glanbrook; The Corporation of

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

the City of Hamilton; and The Corporation of the City of Stoney Creek; (hereinafter referred to collectively as the "former area municipalities" and individually as a "former area municipality");

AND WHEREAS the City of Hamilton Act, 1999 provides that the By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

SHORT TITLE

1. This By-law may be cited as "The Swimming Pool Enclosure By-law".

DEFINITIONS AND INTERPRETATION

2. (1) In this By-law,
 - (a) **"Chief Building Official"** means the **Chief Building Official** appointed by Council under Section 3 of the Building Code Act, S.O. 1992, Chapter 23, as amended, and includes the **Chief Building Official's** designate for the purposes of this by-law;
 - (b) **"effective ground level"** means the highest level of the ground within 1.22 metres (four feet) horizontally in any direction from the point being considered;
 - (c) **"privately-owned outdoor swimming pool"** means any privately-owned body of water located out of doors which is used or capable of being used for swimming and which is contained wholly or partly by artificial means, but does not include such a pool:
 - (i) which is incapable of holding water beyond a maximum depth of .305 metres (one foot), and beyond the volume of 4,546 litres (1000 gallons or 160.5 cubic feet);
 - (ii) which is owned by a public or governmental body, agency or authority;
 - (iii) which is designed and used solely for ornamental purposes;
 - (iv) which is a farm pond, which for the purposes of this by-law shall mean a pond which is maintained for agricultural or horticultural uses only; or

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

- (v) naturally occurring streams, lakes, swamps or other natural bodies of water;
 - (d) “**property owner**” means the registered owner of a property or a tenant in possession of the property;
 - (e) “**swimming pool enclosure**” means a fence or wall or combination of a fence and wall, together with any included doors or gates completely surrounding a swimming pool; and
 - (f) “**unprotected main building exit**” means an exit door or doorway which does not have a separate locking or latching device out of the reach of children, at least 1.829 metres (six feet) above the finished floor level on the interior side of the door or doorway.
- (2) Where this by-law provides both metric and imperial measurement for the same item, the imperial measurement is provided for convenience only and is approximate.

EXCAVATION AND FILLING OF POOLS

3. (1) No person shall place water in a **privately-owned outdoor swimming pool** or cause or permit water to remain in the pool unless the **swimming pool enclosure** required by (2) is in place.
- (2) The owner of a **privately-owned outdoor swimming pool** or **property owner** on whose property the pool is located shall erect and maintain in good repair a **swimming pool enclosure** for the pool in compliance with the requirements of this by-law.
4. No person shall excavate or erect, or cause or permit the excavation or erection of a **privately-owned outdoor swimming pool** until a permit has been issued under this by-law.

APPLICATION FOR PERMIT

5. A person proposing to erect or excavate a **privately-owned outdoor swimming pool** or the fencing or enclosure for such a pool shall first make and file an application for a permit for the **swimming pool enclosure**, including:
- (a) A completed application for permit, together with plans for the enclosure showing fence and gate locations, grades and

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

construction, which material shall be filed with the Building Department; and

- (b) A fee of \$100.00 payable at the time of application.
6. The **Chief Building Official** may require that a permit applicant file better plans or further information as part of the application, as may be needed to determine compliance with this by-law, and in the event the application is incomplete, the fee is unpaid or the information requested is not supplied the application shall be denied.
 7. It is a condition of the application and permit granted, that the **property owner** shall permit entry and inspection of the site of the pool and **swimming pool enclosure** at all reasonable times, to determine that the **swimming pool enclosure** has been constructed in accordance with the approved plans and this by-law.
 8.
 - (1) Subject to (2), the **Chief Building Official** shall issue a permit for plans depicting a **swimming pool enclosure** in compliance with the requirements of this by-law, unless the enclosure if erected would be contrary to a by-law of the municipality or the Building Code.
 - (2) The **Chief Building Official** may issue the permit under (1) with amendments to plans submitted with the application or by attaching or referring to further requirements, to bring the plans into compliance with the requirements of the this by-law, which requirements are conditions of approval of the permit for construction of the **swimming pool enclosure**.
 - (3) Where the **Chief Building Official** cannot issue a permit under (1) the permit shall be denied.
 9. The **property owner** is responsible for and shall construct or cause to be constructed a **swimming pool enclosure** in compliance with the plans approved by the **Chief Building Official**, and otherwise in compliance with this by-law in respect of details that may not be shown in the plans and specifications.

PREVIOUSLY PERMITTED SWIMMING POOL ENCLOSURES

10.
 - (1) Subject to (2), where a **swimming pool enclosure** has been constructed under permit approved by a former area municipality under a pool enclosure by-law previously in force in the former area

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

municipality and the enclosure is maintained in good repair, such enclosure is deemed to be in compliance with this by-law.

- (2) Where the previously permitted **swimming pool enclosure** in (1) is subsequently replaced, the replacement enclosure is instead subject to the requirements of this by-law, including the application for a permit, fee and the requirements and standards specified.

GENERAL REQUIREMENTS FOR ENCLOSURES

11. Enclosures required under this by-law in addition to the other standards and requirements contained in this by-law shall:
 - (a) have a minimum vertical height of 1.524 metres (five feet), measured from the **effective ground level** on the outside of the enclosure;
 - (b) be located at least 1.219 metres (four feet) from any building or tree or any other projection which would facilitate climbing over the **swimming pool enclosure**; and
 - (c) be composed of one of the following constructions, namely chain link fence, vertical board fence, wrought iron fence all as specified in this by-law, or such equivalent alternative as may be approved by the **Chief Building Official** under section 15 upon review of plans and specifications submitted in application for a permit under this by-law.
12. All above ground **privately-owned outdoor swimming pools** having a walkway higher than .61 metres (two feet) above the **effective ground level** shall have their walkways enclosed with an outer guard at least .914 metres (three feet) in height measured from the walkway level. The required **swimming pool enclosure** may form part of the required guards.
13. A **swimming pool enclosure** shall not:
 - (a) use or incorporate barbed wire or other features designed to cause injury;
 - (b) contain or have attached any electrical wiring in the fence portions of the enclosure;
 - (c) be comprised in whole or part of the walls of a building which result in the enclosure also containing an **unprotected main building exit**, or a

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

utility meter or a furnace oil filler pipe so as to require periodic inspection or attendance by utility or service personnel; or

- (d) except in the case of that part of a building or wall forming part of the enclosure, the enclosure shall not have attachments to the exterior face of the enclosure such as bracing, horizontal rails or other structures, except to the extent as may be permitted in section 15.

GATES AND ENTRANCES

14. Doors or gates that form a part of the **swimming pool enclosure** shall:

- (a) be self-closing and self-latching with the latching device for a gate at the top of gate on the inside of the enclosure;
- (b) operate on hinges sufficient to support the door or gate either open and unlatched or closed and latched; and
- (c) be of such construction and height that they otherwise comply with the requirements of this by-law for the enclosure.

STANDARDS OF CONSTRUCTION

15. (1) A fence of chain link construction shall:

- (a) have a mesh with openings not greater than 38 millimetres (one and one-half inches);
- (b) be constructed of wire not less than 12 gauge galvanized steel or if having a vinyl or other coating, not less than 14 gauge steel wire covered with a vinyl or other approved coating which would form a total thickness equivalent to 12 gauge galvanized steel wire;
- (c) be supported by minimum 38 millimetre (one and one-half inch) galvanized steel posts spaced not more than 2.438 metres (eight feet) apart, at least .914 metres (three feet) below grade, which posts are to be encased in concrete at least 5 centimetres (two inches) thick all around; and
- (d) have top and bottom rails firmly fastened to the upright posts, made of minimum 32 millimetre (one and one-quarter inch) galvanized steel pipe, provided only that in place of the bottom rail there may be substituted a galvanized steel tension rod 6 millimetres (one-quarter inch) in diameter.

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

- (2) A fence of wood construction shall:
 - (a) have vertical boarding not less than 19 by 89 millimetre (one inch by four inch) nominal dimensions and shall have no openings on the exterior face with a dimension greater than 10 centimetres (four inches);
 - (b) be supported by posts at least 89 by 89 millimetres (four inches by four inches) square, or 89 millimetres (four inches) in diameter, all nominal dimensions, spaced not more than 2.438 metres (eight feet) apart. Such posts shall extend at least .914 metres (three feet) into the ground and that portion of the post below grade shall be treated with a wood preservative; and
 - (c) have top and bottom rails with at least 38 by 89 millimetre (two inch by four inch) nominal dimensions, and spaced at least 1.067 metres (three feet six inches) apart.
- (3) A fence of wrought iron construction or other similar material shall:
 - (a) be of sufficient strength to provide an effective enclosure;
 - (b) have no openings of a dimension greater than 10 centimetres (four inches) between vertical members;
 - (c) be supported by posts spaced not more than 2.438 metres (eight feet) apart. Such posts shall extend at least .914 metres (three feet) into the ground and be encased in concrete; and
 - (d) have top and bottom rails spaced at least 1.067 metres (three feet six inches) apart.
- (4) The **Chief Building Official** may approve plans for the construction of a **swimming pool enclosure** that is a fence, wall or other structure where it provides an equivalent enclosure to that specified in this by-law.

PENALTY AND ENFORCEMENT

- 16. (1) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the penalties specified by Section 61 of the Provincial offences Act, R.S.O. 1990, Chapter P. 33.

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

- (2) Where the owner of the **privately-owned outdoor swimming pool** or **property owner** fails to erect or maintain a fence or gate around the swimming pool or places water in the pool, or causes, permits or allows the water to remain in the pool where a fence or gate is not erected or maintained, the **Chief Building Official** may immediately at the persons expense,
 - (a) erect or repair the **swimming pool enclosure**; or
 - (b) remove all water from the swimming pool until the required **swimming pool enclosure** is erected or maintained in accordance with this by-law.
- (3) The City of Hamilton may recover the expense incurred in doing the work described in (2) by action or in a like manner as municipal taxes.
- (4) For the purposes of this by-law, persons who are employed or appointed as By-law Enforcement Officers by the City of Hamilton, or employed as Property Standards Officers or Building Inspectors for the City of Hamilton, and the **Chief Building Official** are all deemed appointed and entitled to enforce the provisions of this by-law.

REPEAL

- 17. The following By-laws, all as amended, of the named former area municipalities are hereby repealed:
 - (1) By-law No. 90-65, (Ancaster);
 - (2) By-law No. 2565-71, as amended by By-Law 4360-97, (Dundas);
 - (3) By-law No. 75-62-S, as amended by By-law No. 84-125-S, (Flamborough);
 - (4) By-law No. 43-74, (Glanbrook);
 - (5) By-law No. 77-244, (Hamilton); and
 - (6) By-law No. 1432-83 as amended by By-law No. 3965-94 (Stoney Creek).

**By-law Respecting Fencing of
Privately-Owned Outdoor Swimming Pools**

18. This by-law shall come into force and effect on the date of enactment.

ENACTED AND PASSED this 13th day of November , A.D. 2001

A handwritten signature in black ink, featuring a large, stylized 'M' and 'C' followed by a horizontal line.

Mayor

A handwritten signature in black ink, featuring a stylized 'J' and 'C' followed by a horizontal line.

City Clerk

City of Hamilton

BY-LAW NO. 01 - 265

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

**LANDS LOCATED WEST OF HAWKSWOOD TRAIL, SOUTH OF
FALCONRIDGE DRIVE AND EAST OF THE ONTARIO HYRDO CORRIDOR, KNOWN
MUNICIPALLY AS 75 FALCONRIDGE DRIVE**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is intended to establish special requirements under Section 19B of By-law No. 6593 (Hamilton) passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the special conditions of approval relating to this rezoning, referred to in Section 1 of Report 05-00 of the Planning and Development Committee, adopted by City Council on March 14, 2000, have been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-37e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9. of Zoning By-law No. 6593 (Hamilton), applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of Zoning By-law No. 6593 (Hamilton), only the following uses shall be permitted:

- 1. a Church, Sunday School, or other place of worship, with or without a parish hall; and,
- 2. a single detached dwelling accessory to a Church or other place of worship; and,

- (b) except for the accessory single detached dwelling permitted under Section 2.(a)2. of this by-law, no vehicular access to or egress from or both access to and egress from Falconridge Drive or Hawkswood Trail shall be permitted; and,

- (c) a visual barrier not less than 1.8 metres and not more than 2.0 metres in height shall be provided and maintained, except for the area used for an access driveway, along any lot line abutting a "C" District.

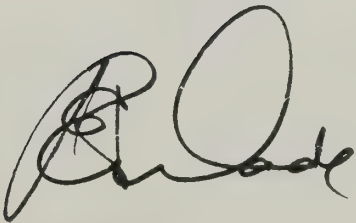
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1442.

5. Sheet No. W-37e of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1442.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of November A.D. 2001



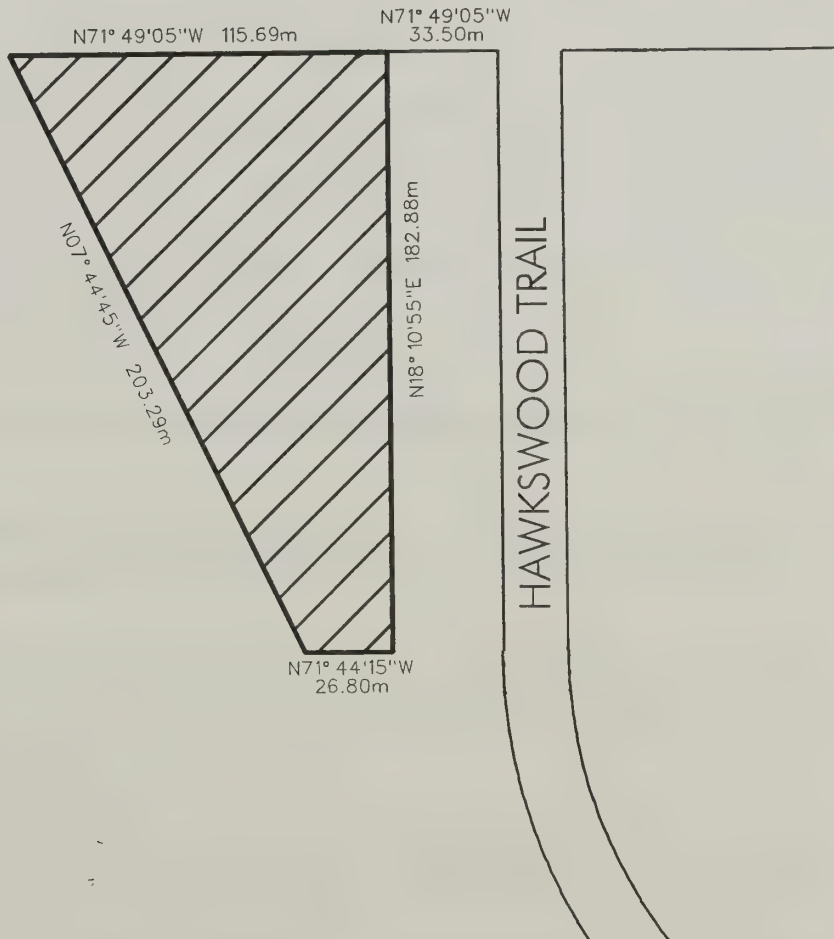
MAYOR



CITY CLERK

(2000) 05-00 R.P.D.C. 1, March 14
Rehoboth United Reformed Church, Owner
ZAC-99-25

FALCONRIDGE DRIVE



This is Schedule "A" to By-Law No. 01-265
 Passed the 13th day of November 2001.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-265

to Amend By-Law No. 6593

Planning and Development Department

Legend



Change in Zoning From "AA" (Agricultural)
 District to "C" (Urban Protected Residential,
 etc.) District, Modified

North 	Scale	Reference File No.
	NOT TO SCALE	ZA-99-25
	Date	Drawn By
	May, 2001	L.M.

Authority: Item 5.0 Hearing Sub-Committee
Report 01-027 (PD01190)
CM: October 23, 2001

Bill No. 266

City of Hamilton

BY-LAW NO. 01-266

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

DEFINITION OF PUBLIC USES AND COMMUNITY/RECREATIONAL FACILITIES

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 5 of Report 01-027 of the Hearings Sub-Committee at its meeting held on the 23rd day of October, 2001, recommended that Zoning By-law No. 6593 (Hamilton), be further amended as hereinafter provided;

By-law Respecting General Text Amendment
to Zoning By-law No. 6593 (Hamilton) –
Definition of Public Uses and Community/
Recreational Facilities

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 2.2.C of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the preamble in its entirety and replacing it with the following:

“Public” shall mean designed, adapted or used for civic, political, religious, educational, social or recreational purposes, or for local or other governmental or other such public use and shall include a defense project, police station, fire station, waterworks, street, alley, a school other than a commercial school, a church, public park, fairground, playground, bowling green, tennis court, public library, museum, art gallery, observatory, community centre, cemetery, mausoleum, or other such public use whether publicly operated or not, but shall not include a liquor store, miniature golf course, commercial school or any other commercial or non-public use carried on as a business.”

2. Section 8.(1)(vi) of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the words “except one carried on as a business, or of a kind that is carried on as a business” in the first paragraph and replacing them with “provided it is owned and operated by the City or it is owned and operated by the City in conjunction with the private sector” so the first paragraph reads as follows:

“A library, art gallery, museum, observatory, community centre, gymnasium, swimming pool or other such cultural, recreational or community building or structure, provided it is owned and operated by the City or it is owned and operated by the City in conjunction with the private sector.”

3. Section 9.(1)(v) of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting the words “except one carried on as a business, or of a kind that is carried on as a business” in the first paragraph and replacing them with “provided it is owned and operated by the City or it is owned and operated by the City in conjunction with the private sector” so the first line of the clause reads as follows:

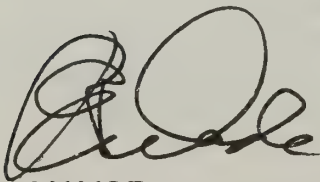
By-law Respecting General Text Amendment
to Zoning By-law No. 6593 (Hamilton) –
Definition of Public Uses and Community/
Recreational Facilities

"A library, art gallery, museum, observatory, community centre, or other such cultural, recreational or community building or structure, provided it is owned and operated by the City or it is owned and operated by the City in conjunction with the private sector."

4. In all other respects, Zoning By-law No. 6593 (Hamilton) is hereby confirmed, unchanged.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of November A.D. 2001



MAYOR



CITY CLERK

CI 01-E
Definition of Public Uses and
Community/Recreational Facilities

Bill No. 267

City of Hamilton

BY-LAW NO. 01-267

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT TEMPLEMEAD DRIVE

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 01-027 of the Hearings Sub-Committee at its meeting held on the 23rd day of October, 2001, recommended that Zoning By-law No. 6593 (Hamilton), be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

By-law Respecting Templemead Drive

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

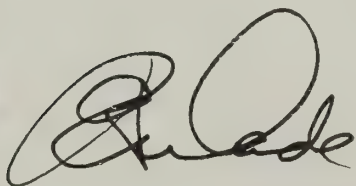
1. Sheets No. E-49C and E-49D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), are amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

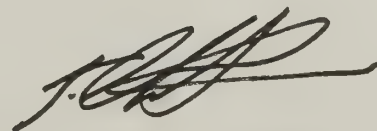
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of November A.D. 2001



MAYOR

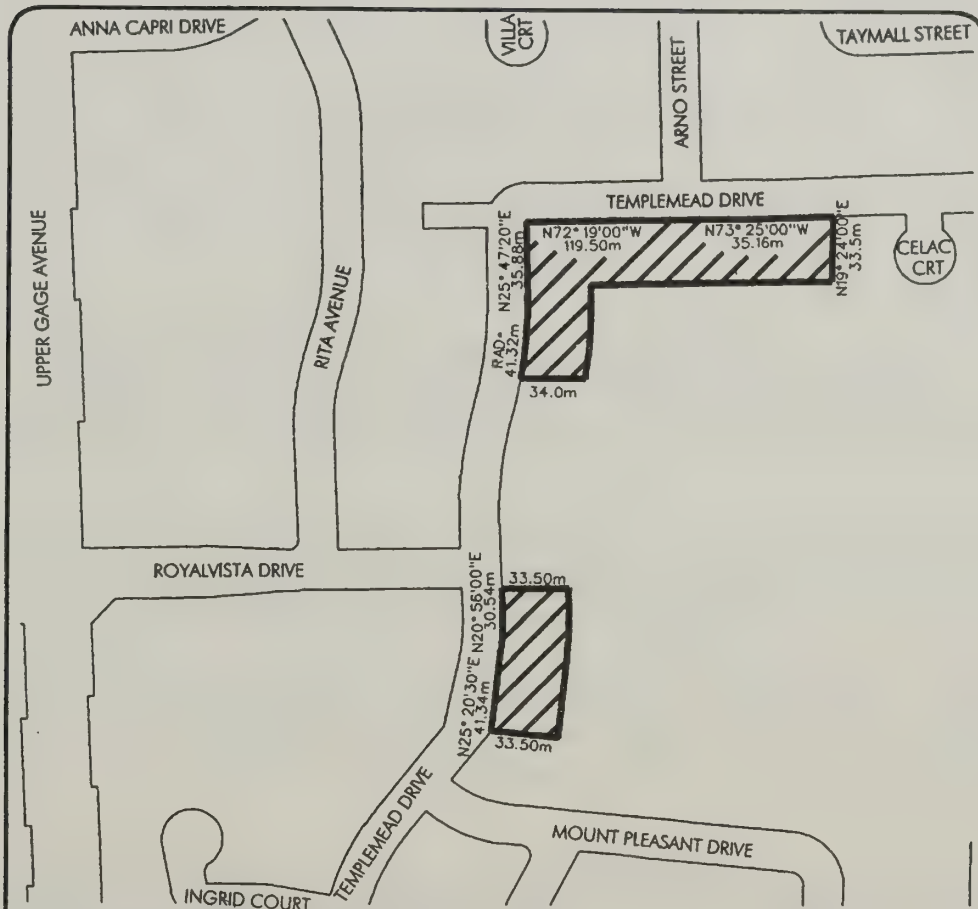


CITY CLERK

ZAC-01-35

Hamilton-Wentworth District School Board, owner.

By-law Respecting Templemead Drive



This is Schedule "A" to By-Law No. 01-267.....
 Passed the 13th day of November, 2001.

[Signature]
 City Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-267
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Change in zoning
 from "AA" (Agricultural) District to "C"
 (Urban Protected Residential, etc.) District

North



Scale
 NOT TO SCALE

Date
 November, 2001

Reference File No.
 ZAC-01-35

Drawn By
 L.M.

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Item 1, Hearings Sub-Committee
Report 01-024
CM: October 2, 2001
Motion – CM: October 16, 2001

Bill No. 268

City of Hamilton

BY-LAW NO. 01- 268

To Amend:

**By-law No. R89-038, as amended, TO REGULATE TRAFFIC
By-law No. 89-72, as amended, TO REGULATE TRAFFIC
and, By-law No. 01-218, as amended, TO REGULATE ON-STREET PARKING**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former municipalities, the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 21st day of March, 1989, the Council of The Regional Municipality of Hamilton-Wentworth enacted By-law R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law R89-038, By-law No. 89-72 and By-law No. 01-218, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 18 (Parking Time Limits) of By-law No. R89-038, as amended, is hereby further amended by adding to Part A thereof the following items, namely:

"Barton	South Wellington to Stirton	2 hr	from 6:00 p.m. on Sunday through to 8:00 a.m. on Friday and from 6:00 p.m. on Friday through to 8:00 a.m. on Saturday
Barton	South Birch to Sherman	2 hr	from 6:00 p.m. on Sunday through to 8:00 a.m. on Friday and from 6:00 p.m. on Friday through to 8:00 a.m. on Saturday
Barton	North Wellington to Wentworth	2 hr	from 6:00 p.m. on Sunday through to 8:00 a.m. on Friday and from 6:00 p.m. on Friday through to 8:00 a.m. on Saturday
Barton	North Sanford to Birch	2 hr	from 6:00 p.m. on Sunday through to 8:00 a.m. on Friday and from 6:00 p.m. on Friday through to 8:00 a.m. on Saturday
Barton	North Gibson to Sherman	2 hr	from 6:00 p.m. on Sunday through to 8:00 a.m. on Friday and from 6:00 p.m. on Friday through to 8:00 a.m. on Saturday"

2. Schedule 18 (Parking Time Limits) of By-law No. R89-038, as amended, is hereby further amended by adding to Section B, Sub-section 8 thereof the following items, namely:

"James	East	King to Murray
James	West	York to Strachan

James	East	Main to Jackson
James	East	Augusta to Charlton
John	West	King to King William
John	West	Rebecca to Wilson
King	North	John to Wellington
King	South	Mary to Wellington
King	Both	James to Bay
Main	North	John to Spring
York	Both	James to Bay
Cannon	North	John to Catherine
Ottawa	East	Main to Baron
Ottawa	West	Campbell to Roxborough"

3. Schedule 25 (Time Limit Parking) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Cheever	North	Barton to 60 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Emerald	West	Barton to 80 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Oak	West	Barton to 80 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Smith	West	Barton to 120 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
St. Matthew	West	Barton to 60 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Leeming	East	Barton to 120 ft. southerly	2 hr	9 am - 6 pm	Fri & Sat
East	West	Barton to 100 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Gibson	West	Barton to 80 ft. southerly	2 hr	9 am - 6 pm	Fri & Sat
Milton	East	Barton to 60 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat
Milton	West	Barton to 40 ft. northerly	2 hr	9 am - 6 pm	Fri & Sat

Ferguson	East	King William to Wilson	2 hr	9 am - 6 pm	Mon - Sat
Ferguson	West	King William to Wilson	2 hr	9 am - 6 pm	Mon - Sat
Wilson	North	Hughson to Mary	2 hr	9 am - 6 pm	Mon - Sat
Hughson	East	Wilson to Cannon	2 hr	9 am - 6 pm	Mon - Sat
Hughson	East	Main to Jackson	2 hr	9 am - 6 pm	Mon - Sat
Hunter	North	James to John	2 hr	9 am - 6 pm	Mon - Sat
Hunter	South	James to Hughson	2 hr	9 am - 6 pm	Mon - Sat
Hunter	South	John to Walnut	2 hr	9 am - 6 pm	Mon - Sat
Hunter	Both	James to MacNab	2 hr	9 am - 6 pm	Mon - Sat
Hunter	North	Bay to Caroline	2 hr	9 am - 6 pm	Mon - Sat
Caroline	West	George to Hunter	2 hr	9 am - 6 pm	Mon - Sat
Catherine	West	Jackson to Rebecca	2 hr	9 am - 6 pm	Mon - Sat
King William	East	James to Wellington	2 hr	9 am - 6 pm	Mon - Sat
MacNab	Both	York to Cannon	2 hr	9 am - 6 pm	Mon - Sat
Mary	West	King to King William	2 hr	9 am - 6 pm	Mon - Sat
Mary	East	King William to Wilson	2 hr	9 am - 6 pm	Mon - Sat
Spring	East	Main to 94 ft. southerly	2 hr	9 am - 6 pm	Mon - Sat
Vine	South	James to Bay	2 hr	9 am - 6 pm	Mon - Sat
Vine	North	James to MacNab	2 hr	9 am - 6 pm	Mon - Sat
Walnut	West	King to Main	2 hr	9 am - 6 pm	Mon - Sat
Walnut	West	Jackson to Hunger	2 hr	9 am - 6 pm	Mon - Sat
Walnut	East	King to King William	2 hr	9 am - 6 pm	Mon - Sat
Jackson	North	MacNab to City Hall	2 hr	9 am - 6 pm	Mon - Sat
Jackson	South	James to MacNab	2 hr	9 am - 6 pm	Mon - Sat

Jackson	North	Catherine to Ferguson	2 hr	9 am - 6 pm	Mon - Sat
Jackson	Both	Bay to Hess	2 hr	9 am - 6 pm	Mon - Sat
Park	West	York to Vine	2 hr	9 am - 6 pm	Mon - Sat
York	Both	James to Bay	2 hr	9 am - 6 pm	Mon - Sat
George	South	Caroline to Hess	2 hr	9 am - 6 pm	Mon - Sat
Hess	West	King to Main	2 hr	9 am - 6 pm	Mon - Sat
Hess	East	George to Main	2 hr	9 am - 6 pm	Mon - Sat"

4. Schedule 2 (Through Highways) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "G" thereof the following item, namely:

"King St.	Westerly limit of Paradise except at the intersections of Main and James and excluding the South Branch of King between John and James	Southerly limit of Highway 8"
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and by deleting from Section "G" thereof the following item, namely:

"King St.	The westerly limit of Paradise Rd. except at the intersections of Main and James Streets	The easterly City Limits"
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5. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by striking out the Section heading "E (Stoney Creek)" and substituting in its place the Section heading "F (Stoney Creek)", and by striking out the Section heading "F (Hamilton)" and by substituting in its place the Section heading "E (Hamilton)".
6. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Pine	North	Lock to Pearl	3 hr	8 am - 8 am	Mon - Sun"
				(24 hrs)	

and by deleting from Section "E" thereof the following item, namely:

"Pine	North	Lock to Pearl	1 hr	8 am - 8 am	Mon - Sun"
				(24 hrs)	

and by adding to Section "G" thereof the following Subsection, namely:

- "3. One hour time limit between the hours of 8 o'clock in the forenoon and 6 o'clock in the afternoon excepting such parts of same where parking or stopping is otherwise prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
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and by adding to said Section G, Subsection 3, the following item, namely:

"Dundurn	Both	Hill to Charlton"
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7. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Lions Club Rd.	North	from 7.6m west of the driveway to 509 Lions Club Rd. to 60.4m westerly therefrom	Anytime
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Lions Club Rd.	South	from the extended westerly edge of the driveway to 509 Lions Club Rd. to 65.2m westerly therefrom	Anytime"
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and by adding to Section "B" thereof the following item, namely:

"Cayley St.	South	Parkside to 24.1m west of the extended west curb line of Cayley Crt.	8:30 am - 4:30 pm Monday to Friday"
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and by adding to Section "E" thereof the following item, namely:

"Angus	North	Quigley to easterly limit	Anytime"
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and by deleting from Section "E" thereof the following items, namely:

"Carling	North	from a point 153 feet east of Paradise to a point 93 feet easterly therefrom	8 am - 5:30 pm Mon - Fri
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Angus	North	Quigley to Selway	Anytime
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High	West	from 34 ft. south of Edgewood to 28 ft. north of Brucedale	Anytime Mon - Fri"
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8. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Paling	East	commencing 221.2m south of Barton and extending 6.4m southerly therefrom	Anytime
John	East	commencing 14m south of Wood and extending 6.1m southerly therefrom	Anytime
Paling	Both	commencing 7.9m north of Roxborough and extending 7.6m northerly therefrom	Anytime
Fairfield	East	commencing 18.9m north of Britannia and extending 7m northerly therefrom	Anytime
Park Row	East	commencing 19.8m south of Cannon and extending 5.8m southerly therefrom	Anytime
Graham	East	commencing 27.4m south of Central and extending 4.9m southerly therefrom	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Florence	South	commencing 71 feet east of Locke and extending 20 feet easterly therefrom	Anytime
Leeming	West	commencing at a point 108 feet south of Wright to a point 19 feet southerly therefrom	Anytime
Allan	South	commencing 222 feet east of Harmony and extending 21 feet easterly therefrom	Anytime"

9. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

"Cayley St.	North	Cayley Crt. to 31.4m westerly therefrom	Anytime"
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and by adding to Section "E" thereof the following item, namely:

"High	West	commencing 10.4m south of Edgewood and extending to 8.5m north of Brucedale	7:00 am - 6:00 pm" Monday to Friday
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10. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting therefrom Section G, in its entirety and by substituting in its place the following Section, namely:

"G (Former Regional Roads)

<u>HIGHWAY</u>	<u>SIDE</u>	<u>LENGTH</u>	<u>LOCATION COMMENCING</u>	<u>TIME</u>
Barton	North	18 ft.	32 ft. east of Earl	Anytime
Barton	North	24 ft.	50 ft. west of Cope	Anytime
Barton	South	35 ft.	76 ft. east of John	Anytime
Bay	West	75 feet	50 feet north of King	Anytime
Cannon	North	42 feet	57 feet east of Chesnut	7:00 a.m. - 10:00 a.m. Mon - Fri
Concession	South	43 ft.	50 feet west of East 32nd	8:00 a.m. - 6:00 p.m. Mon - Fri
Concession	North	30 ft.	9 ft. east of east street line of East 22nd	Anytime
Concession	South	19 ft.	109 ft. west of East 17th	Anytime
Fennell	North	58 ft.	100 ft. west of East 21st	Anytime
Fennell	North	30 ft.	56 ft. east of East 31st	Anytime
Fennell	North	23 ft.	70 ft. east of East 38th	Anytime
Fennell	South	23 ft.	56 ft. west of East 28th	Anytime
Fennell	South	23 ft.	30 ft. east of East 19th	Anytime
Herkimer	South	30 ft.	30 ft. east of Caroline	Anytime
James	West	40 ft.	172 ft. south of Colbourne	Anytime
James	East	56 ft.	38 ft. north of Robert	Anytime
James	East	36 ft.	59 ft. north of Augusta	Anytime
James	East	74 ft.	50 ft. south of the south branch of King	6:00 a.m.- 6:00 p.m. Mon - Fri
James	West	17 ft.	150 ft. north of Colbourne	Anytime
James	East	31 ft.	88 ft. north of King	Anytime
Kenilworth	West	60 ft.	75 ft. south of Main	Anytime

King	North	21 ft.	50 ft. west of Holton	Anytime
King	South	37 ft.	90 feet east of Locke	Anytime
King	South	35 ft.	147 ft. West of Ogilvie	Anytime
King	South	40 ft.	96 ft. west of Melrose	Anytime
King	South	38 ft.	65 ft. west of James	9:00 a.m. - 12:00 noon
King	South	67 ft.	219 ft. west of James	9:00 a.m. - 4:00 p.m.
King	South	16 ft.	277 ft. east of Wentworth	Anytime
Main	North	45 ft.	40 ft. west of Wellington	Anytime
Main	North	43 ft.	50 ft. east of Emerald	Anytime
Main	North	32 ft.	22 ft. west of Cline	9:00 a.m.- 11:00 a.m.
Main	North	34 ft.	80 ft. west of Connaught	8:00 a.m.- 4:00 p.m.
Main	South	30 feet	192 feet east of Catharine	Anytime
Main	North	44 ft.	90 ft. west of Kenilworth	Anytime
Main	North	34 ft.	80 ft. west of Connaught	8:00 a.m.- 4:00 p.m.
Main	North	30 ft.	130 ft. west of Strathearne	Anytime
Main	South	39 ft.	145 ft. west of Sherman	9:00 a.m. - 4:00 p.m. Mon - Fri
Main	North	35 ft.	75 ft. west of Emerald	Anytime
Ottawa	East	59 ft.	197 ft. north of Roxborough	Anytime
Ottawa	West	122 ft.	362 ft. north of Beach Rd.	Anytime
Ottawa	West	169 ft.	692 ft. north of Beach Rd.	Anytime
Ottawa	West	150 ft.	212 ft. north of Beach Rd.	Anytime
Sherman	East	40 ft.	40 ft. south of Imperial	Anytime
Upper Sherman	West	37 ft.	75 ft. south of Queensdale	Anytime

Wellington	West	318 ft.	Simcoe	Anytime
Wellington	East	40 ft.	30 ft. north of Robert	Anytime
Wellington	East	30 ft.	82 ft. south of King	7:00 a.m. - 6:00 p.m. Mon - Sat
Wilson	South	92 ft.	30 ft. west of Hughson	9:00 a.m.- 4:00 p.m.
Wilson St.	North	25 ft.	50 ft. east at John	Anytime"

11. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Brampton	South	commencing 710m west of Woodward and extending 13.7m westerly therefrom	7:00 am - 6:00 pm Monday to Saturday
Colcrest	South	commencing 1.8m east of the extended east curb of Seabrooke and extending 50.9m easterly therefrom	7:00 am - 6:00 pm Monday to Saturday
Franklin	South	commencing 43.6m east of East 24th and extending 56.1m easterly therefrom	7:00 am - 6:00 pm Monday to Saturday"

and by deleting from Section "E" thereof the following items, namely:

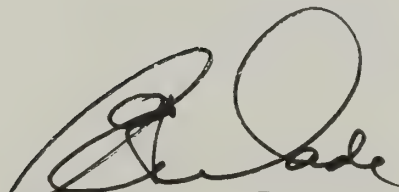
"Colcrest	South	98 feet	commencing 118 feet east of the east curb line of Seabrooke	7:00 am - 6:00 pm Monday to Saturday
Franklin	South	80 feet	143 feet east of the east curb line of East 24th	7 am - 6 pm Monday to Saturday"

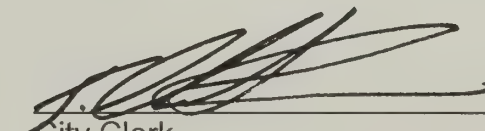
and by deleting from Section "G" thereof the following item, namely:

"Woodward	West	commencing 215 feet south of Brampton to a point 82 feet southerly therefrom	7:00 am - 4:00 pm Monday to Saturday"
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12. Sections 1, 2 and 3 of this By-law shall be repealed and no longer in force and effect at 1:00 a.m. on the 1st day of January, 2002,
13. Subject to the amendments made in this By-law, in all other respects, By-laws No. R89-038, 89-72 and 01-218, each as amended, including all Schedules thereto, are hereby confirmed unchanged.
14. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 13th day of November, 2001.



Mayor

City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-269

To Confirm the Proceedings of City Council at its meeting held on November 13, 2001

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

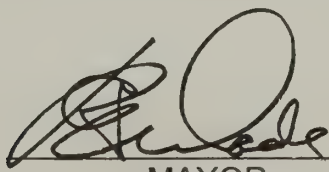
1. The Action of City Council at its meeting held on the 13th day of November, 2001 in respect of each recommendation contained in:

Report 01-029 of the Hearings Sub Committee,
Report 01-030 of the Hearings Sub Committee,
Report 01-035 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 13th day of November, 2001


MAYOR
CITY CLERK

Authority: Item 2 , Hearings Sub-Committee
Report 01-019 (PD01133)
CM: August 21, 2001

Bill No. 270

City of Hamilton

BY-LAW NO. 01-270

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 3 STONECHURCH ROAD WEST
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the "A" (Agricultural) District to the "I-469" – 'H' (Institutional - Holding) District and "RM4-470" – 'H' (Residential Multiple – Holding) District those lands located within part of lots 53 and 54, concession 3, geographic township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

I-469-H Notwithstanding any provision to the contrary of Subsection 30.2 – Regulations of Section 30: Institutional “I” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “I-469” described as part of lots 53 and 54, concession 3, shall be subject to the following:

- 1.0 notwithstanding the provisions of Sections 30.4, which refers to Section 7.14 (a) (xvi), a permanently maintained planting strip of a minimum width of 5.0 metres shall be provided and maintained along the street line, and it shall be continuous except for aisles or driveways required for access to such parking area.

The ‘H’ symbol applicable to the lands zoned I-469-H shall be removed conditional upon:

- (1) the owner applying for and receiving approval of a site plan control application for the use of the subject lands with the City of Hamilton; and,
- (2) the owner submitting a signed Record of Site Condition (RSC) to the satisfaction of the City of Hamilton.

RM4-470-H Notwithstanding any provision to the contrary of Subsection 17.2 – Regulations of Section 17: Residential Multiple “RM4” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned RM4-470, described as part of lots 53 and 54, concession 3, shall be subject to the following:

1. notwithstanding Subsection 17.1, the most easterly bank of dwelling units shall comprise of single detached and/or semi-detached dwelling units only;
2. notwithstanding Subsection 17.2 (b), the maximum density shall not exceed 25 units per hectare;

3. notwithstanding Subsection 17.2 (g), the minimum easterly side yard width affecting all buildings, accessory structures, exclusive use areas and parking areas shall be 10 metres;
4. notwithstanding Subsection 17.2 (j), a planting strip of a minimum width of 5.0 metres shall be provided and maintained along the front property line, and a permanently maintained planting strip of a minimum width of 10.0 metres shall be provided along the easterly side lot line. Further, a planting strip shall be provided and maintained from the most easterly point of the property (where the two side lot lines intersect) a distance of 40 metres westerly.

The 'H' symbol applicable to the lands zoned RM4-470-H shall be removed conditional upon:

- (1) the owner applying for and receiving approval of a site plan control application for the use of the subject lands with the City of Hamilton; and,
- (2) the owner submitting a signed Record of Site Condition (RSC) to the satisfaction of the City of Hamilton.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

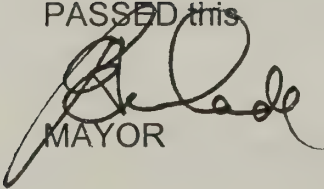
PASSED this

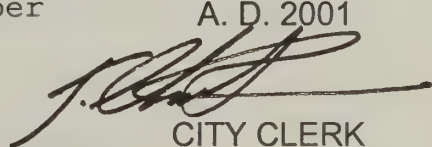
27th

day of

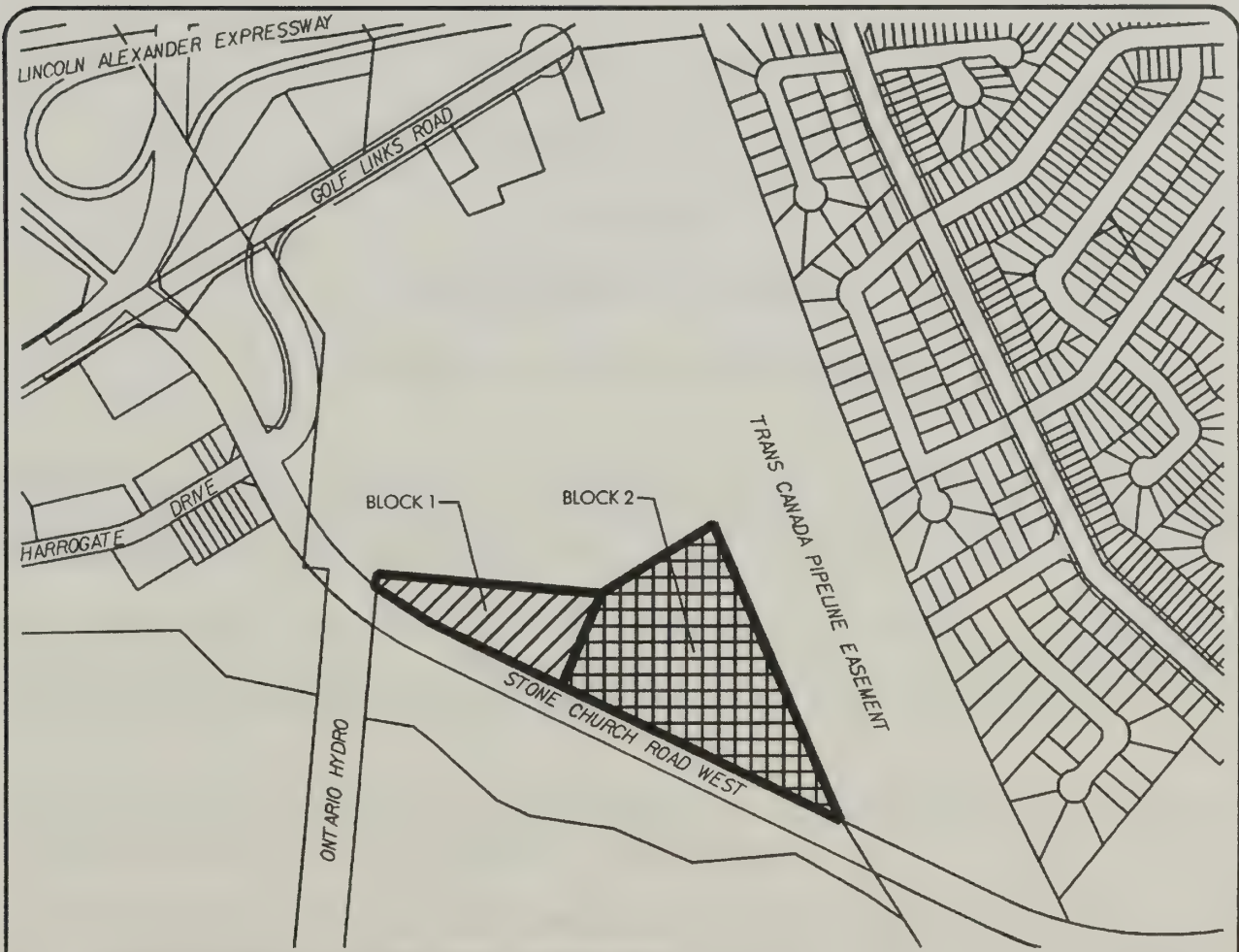
November

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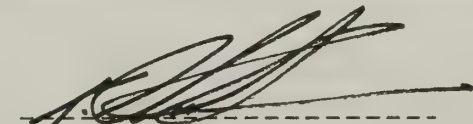

MAYOR

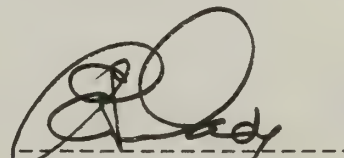

CITY CLERK

752401 Ontario Inc. (Alec Kelly, Managing Partner) – Owner
ZAC-01-14 (former Town of Ancaster)



This is Schedule "A" to By-Law No. 01-270.....
Passed the 27th day of November 2002.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-270

to Amend By-Law No. 87-57

Planning and Development Department

Legend

Proposed change in zoning:

BLOCK 1



from Agricultural District "A" to
Institutional - Holding District
'I-469' - "H"

BLOCK 2



from the Agricultural District "A" to
Residential Multiple - Holding District
'RM4-470' - "H"

North



Scale
NOT TO SCALE

Date
Nov. 6, 2001

Reference File No.
ZAC-01-14

Drawn By
MC.

City of Hamilton

BY-LAW NO. 01- 271

To Amend:

By-law No. 01-218, as amended,

TO REGULATE ON-STREET PARKING

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Through Highways) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "G" thereof the following item, namely:

"King St. The eastern City limit The southern limit of Highway 8"

2. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E", Sub-section "2", Part "a" thereof (2 hour limit at .50 per hour), the following items, namely:

"Belwood East 12.8m north of Concession to 24.1m northerly

East 17th West 10.4m south of Concession to 27.7m southerly

East 18th West 7.9m south of Concession to 18.9m southerly

East 21st West Concession to 36.6m southerly

East 22nd	West	12.2m south of Concession to 21.0m southerly
East 23rd	West	Concession to 22.2m southerly
East 24th	West	7.6m south of Concession to 18.9m southerly
East 25th	West	15.2 m south of Concession to 10.4m southerly
East 26th	East	8.8m south of Concession to 12.2m southerly
Hamilton	West	7.9m north of Concession to 25.6m northerly
Poplar	East	31.4m north of Concession to 30.8m northerly
Summit	West	10.1m north of Concession to 36.9m northerly
Upper Wentworth	West	6.4m north of Concession to 8.5m south of Alpine"

and by deleting from Section "E", Sub-section "2", Part "a" thereof the following item, namely:

"East 22nd West from a point 69 feet north of Concession to a point 40 feet southerly therefrom"

and by deleting from Section "E", Sub-section "3", Part "a" thereof the following items, namely:

"East 21st	West	Concession to 120 ft. southerly
East 22nd	West	Concession to 112 ft. southerly
East 23rd	West	Concession to 73 ft. southerly
East 25th	West	From a point 50 feet south of Concession to a point 84 feet south of Concession"

and by adding to Section "G", Sub-section "2", Part "a" thereof (2 hour limit at .50 per hour) the following items, namely:

"Concession North	East 18th to East 19th
Concession North	Upper Wentworth to Upper Sherman
Concession South	Upper Wentworth to East 27th"

and by adding to Section "G", Sub-section "3", Part "a" thereof (1 hour limit at .50 per hour) the following item, namely:

"Concession North East 16th to East 18th"

and by deleting from Section "G", Sub-section "3", Part "a" thereof the following items, namely:

"Concession North East 16th to East 19th

Concession North Upper Wentworth to Poplar

Concession North Poplar to Upper Sherman

Concession South Upper Wentworth to East 25th

Concession South East 25th to East 27th

Concession South East 27th to 320 ft. east"

and by deleting from Section "G", Sub-section "4", Part "a" thereof the following item, namely:

"Concession North 1st and 2nd meter spaces west of Upper Sherman"

3. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Emerson	Both	Willowcrest to the northerly intersection of Whitney	2 hr.	9 a.m. - 5 p.m. Monday to Friday
Belwood	East	36.9m north of Concession to Alpine	1 hr.	8 a.m. - 6 p.m. Monday to Saturday
Hamilton	West	33.5m north of Concession to Mountain Park	1 hr.	8 a.m. - 6 p.m. Monday to Friday
East 21st	East	commencing 43.3m south of Concession to a point 91.1m southerly therefrom	1 hr.	8 a.m. - 9 p.m. Monday to Saturday
East 24th	West	26.5m south of Concession to Crockett	2 hr.	8 a.m. - 6 p.m. Monday to Friday
East 24th	East	40.5m south of Concession to Crockett	2 hr.	8 a.m. - 6 p.m. Monday to Friday

Upper Sherman	East	Concession to Mountain Park	1 hr.	8 a.m. - 8 p.m. Monday to Saturday"
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and by deleting from Section "E" thereof the following items, namely:

"Emerson	Both	Willowcrest to south branch of Whitney	2 hr.	9 am - 5 pm Mon - Fri
Belwood	East	Concession to Alpine	1hr	8am-6pm Mon-Sat
East 18 th	West	From a point 41 feet south of	1hr	8am-6pm Anytime
East 21st	East	commencing 142 feet south of Concession to a point 299 feet southerly	1 hr	8 am - 9 pm
East 24 th	Both	Concession to Crockett	2hr	8am-6pm Mon-Fri
East 26 th	West	Commencing 313 feet south of Concession to Crockett	1hr	8am-6pm Mon-Fri
East 26 th	East	30ft. south of Concession to a point 40 feet southerly therefrom	1hr	8am-6pm Mon-Fri
Hamilton	West	Concession to Mountain Park	1hr	8am-6pm Mon-Fri
Upper Sherman	East	Concession to Mountain Brow	1 hr"	

and by deleting from Section "G", Subsection "B", Part "6" thereof the following item, namley:

"Upper Sherman	East	Concession to Crockett"
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4. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended deleting from Section "E" thereof the following items, namely:

"East 27th	East	Burkholder to Franklin	Anytime
East 17 th	West	Concesstion to 42.7m south	Anytime

Upper Sherman	West	Concession to Mountain Park	Anytime
Upper Wentworth	East	Concession to 101.8m north	Anytime
Upper Wentworth	West	Alpine to Mountain Park	Anytime
East 25 th	West	Concession to 80 ft. south	Anytime
Summit	West	Concession to 154' north	Anytime
Upper Sherman	West	Mountain Park to Crockett	Anytime
Upper Sherman	East	Concession to 50 ft. north	Anytime"

and by adding to Section "G" sub-section "1", thereof the following items, namely:

"King (South Branch)	South	from 22.2m east of James to 14.6m easterly	3:00 a.m. - 7:00 a.m.
King (South Branch)	South	from 36.8m east of James to 46m easterly	Anytime
King (South Branch)	South	from 82.8m east of James to Hughson	3:00 a.m. - 7:00 a.m.
King (South Branch)	South	Hughson to 25.6m easterly	3:00 a.m. - 7:00 a.m.
King (South Branch)	South	from 25.6m east of Hughson to 42.7m easterly	Anytime
King (South Branch)	South	from 68.3m east of Hughson to 16.2m easterly	3:00 a.m. - 7:00 a.m.
King (South Branch)	South	from 84.5m east of Hughson to John	Anytime
Upper Sherman	East	39.3m north of Brucedale to Crockett	Anytime"

And by deleting from Section "G", sub-section "1" thereof, the following items, namely:

"King	South	118 feet east of James to 138 feet easterly	Anytime
King	South	83 feet east of Hughson to 139 feet easterly	Anytime
Upper Sherman	East	129 feet north of Brucedale to Concession	Anytime"

5. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended is hereby further amended by adding to Section "E" thereof the following item, namely:

"East 17th Street	West	East"
38.1m south of Concession Street to Queensdale Avenue		

and by deleting from Section "E" thereof the following items, namely:

"East 17th Street	West	East
Concession Street to Queensdale Avenue		
East 26th Street	East	West"
Concession to Crockett Street		

6. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Ward	North	commencing 88.7m west of Emerson and extending 5.5m westerly therefrom	Anytime
East 18th	West	commencing 26.8m south of Concession and extending to Mountville	Anytime"

and by deleting from Section "E" thereof the following item, namely:

"East 18th	West	81 feet south of Concession to Mountville	Anytime"
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7. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Locke	East	Charlton to 17.1m southerly	Anytime
Franklin	North	from 55.2m west of East 28th to 14m west of the extended west curb line of the western intersection of East 27th	Anytime

Franklin	South	from 60.7m west of the extended west curb line of East 28th to 15.2m west of the western intersection of East 27th	Anytime
Franklin	South	from 15.5m west of the extended west curb line of East 28th to 26.5m westerly therefrom	7:00 a.m. - 6:00 p.m. Monday to Saturday
East 27th	East	Burkholder to 36.9m northerly	7:00 a.m. - 6:00 p.m. Monday to Saturday
East 27th	East	Franklin to 78m north of Burkholder	7:00 a.m. - 6:00 p.m. Monday to Saturday
East 17 th	West	Concession to 10.4m southerly	Anytime
East 18 th	West	Concession to 7.9m southerly	Anytime
East 24 th	West	Concession to 7.6m southerly	Anytime
East 24 th	East	Concession to 15.2m southerly	Anytime
East 26 th	East	Concession to 8.8m southerly	Anytime
Hamilton	West	Concession to 7.9m northerly	Anytime
Summit	West	Concession to 10.1m northerly	Anytime
Upper Sherman	East	Concession to 15.2m northerly	Anytime
Upper Wentworth	West	Concession to 6.4m northerly	Anytime
Upper Wentworth	West	Alpine to 8.5m southerly	Anytime
Poplar	East	Mountain Park to 18.3m southerly	Anytime
Poplar	East	68.9m south of Mountain Park to 6.4m southerly	Anytime
Poplar	East	Concession to 31.4m northerly	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Locke	East	Charlton to 94 ft. south	Anytime
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Franklin	South	commencing 41 feet east of the east curb line of East 27th and extending 61 feet easterly therefrom	Mon. - Sat. 7:00 a.m. - 6:00 p.m.
East 18th	West	Concession to 41 feet south	Anytime
Poplar	East	Mountain Park to 90 feet south	Anytime
Poplar	East	Concession to 120 feet north	Anytime"

and by adding to Section "G" thereof the following items, namely:

"King (South Branch)	South	James to 22.2m easterly	Anytime
Main	North	Strathcona to 35.4m westerly	Anytime"

and by deleting from Section "G" thereof the following item, namely:

"King	South	James to 94 feet east	Anytime"
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8. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding thereto the following item, namely:

"Ferguson	West	9.1m 26.8m south of Kelly	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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9. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"East 24th	East	25.3m 15.2m south of Concession	9:00 a.m. - 4:00 p.m. Monday to Friday"
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10. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"East 27th	East	13.7m 36.9m north of Burkholder	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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and by deleting from Section "E" thereof the following item, namely:

"East 27th	East	45 feet 121 feet north of Burkholder	7:00 a.m. - 6:00 p.m. Monday to Friday"
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11. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

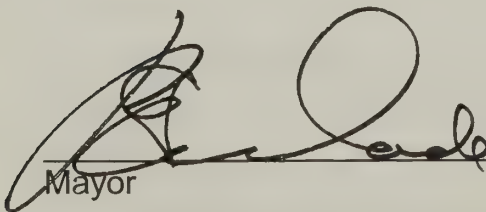
"Franklin	South 18.6m	42.1m west of the extended west curb line of East 28th	7:00 a.m. - 6:00 p.m. Monday to Saturday
East 27th	East 27.4m	50.6m north of Burkholder	7:00 a.m. - 6:00 p.m. Monday to Saturday"

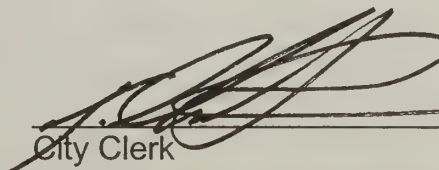
and by deleting from Section "E" thereof the following item, namely:

"Franklin	South 88 feet	commencing at a point 52 feet west of the west curb line of East 28th	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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12. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, as amended, including all Schedules thereto, is hereby confirmed unchanged.
13. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 27th day of November, 2001.



Mayor

City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-272

Respecting:

**AUTHORIZATION OF AN EXTENSION AGREEMENT
FOR PAYMENT OF REALTY TAX ARREARS**

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

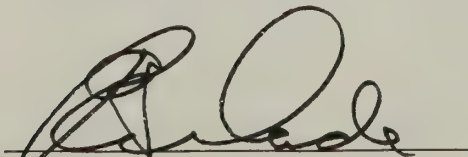
1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.
- (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

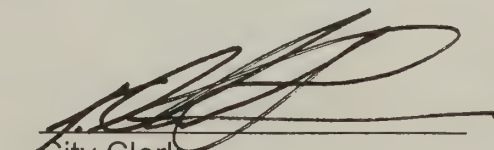
By-law Respecting Extension Agreements for
Payment of Realty Tax Arrears

- (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:
- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

This By-law shall come into force and take effect as of January 1, 2001.

PASSED and enacted this 27th day of November, 2001.


Mayor


City Clerk

SCHEDULE "A"

SERIAL NUMBER	EXPIRY DATE	SERIAL NUMBER	EXPIRY DATE
020 171 08930	01-Mar-02	301 640 33200	27-Sep-02
020 171 08900	01-Mar-02	030 222 06330	27-Sep-02
020 171 09020	01-Mar-02	302 510 24200	27-Sep-02
902 710 35000	20-Apr-02	303 350 27608	27-Sep-02
020 153 55850	02-Aug-02	081 041 04284	27-Sep-02
080 905 05920	02-Aug-02	303 390 04907	27-Sep-02
080 922 01920	02-Aug-02	140 320 29500	27-Sep-02
060 563 06380	02-Aug-02	140 320 37400	27-Sep-02
070 851 00340	02-Aug-02	081 021 04335	27-Sep-02
030 271 00520	02-Aug-02	303 350 70072	27-Sep-02
060 761 02514	02-Aug-02	030 211 50820	27-Sep-02
070 675 03880	02-Aug-02	070 823 06550	27-Sep-02
020 141 04290	02-Aug-02	302 510 44400	27-Sep-02
010 092 03520	02-Aug-02	081 073 07016	27-Sep-02
040 304 02140	02-Aug-02	140 230 43200	27-Sep-02
140 220 37600	27-Sep-02	020 171 07940	27-Sep-02
901 310 76400	27-Sep-02	260 150 23400	27-Sep-02
020 151 06340	27-Sep-02	040 302 00670	27-Sep-02
302 710 44000	27-Sep-02	070 813 07140	27-Sep-02
003 355 16800	27-Sep-02	080 974 00190	27-Sep-02
140 285 20020	27-Sep-02	050 431 03630	27-Sep-02
303 610 55400	27-Sep-02	030 235 57470	27-Sep-02
140 380 07093	27-Sep-02	030 231 54670	27-Sep-02
260 010 29200	27-Sep-02	040 293 03710	27-Sep-02
260 010 24200	27-Sep-02	030 202 05930	27-Sep-02
303 350 27601	27-Sep-02	050 412 03540	27-Sep-02
301 610 39000	27-Sep-02	060 593 01007	27-Sep-02
003 360 04600	27-Sep-02	010 084 05830	27-Sep-02

070 674 02470	27-Sep-02	040 282 00250	27-Sep-02
302 310 06200	27-Sep-02	010 084 05650	27-Sep-02
030 212 51900	27-Sep-02	040 285 03490	27-Sep-02
020 112 01000	27-Sep-02	070 676 02070	27-Sep-02
030 261 53360	27-Sep-02	050 411 06720	27-Sep-02
010 101 04550	27-Sep-02	060 624 06490	27-Sep-02
010 103 05630	27-Sep-02	060 703 02130	27-Sep-02
070 823 05770	27-Sep-02	003 850 28071	27-Sep-02
902 310 14200	27-Sep-02	040 314 08530	27-Sep-02
060 626 03960	27-Sep-02	030 254 02290	27-Sep-02
030 213 04890	27-Sep-02	010 103 01360	27-Sep-02
020 166 02960	27-Sep-02	050 383 01140	27-Sep-02
040 334 06150	27-Sep-02	020 166 05120	27-Sep-02
040 283 01430	27-Sep-02	020 171 00610	27-Sep-02
080 982 01030	27-Sep-02	070 673 03460	27-Sep-02
030 202 00220	27-Sep-02	030 217 02770	27-Sep-02
030 204 00400	27-Sep-02	030 218 01480	27-Sep-02
030 217 06150	27-Sep-02	060 711 00249	27-Sep-02
020 156 52970	27-Sep-02	020 191 07910	27-Sep-02
040 312 51420	27-Sep-02	030 243 06080	27-Sep-02
050 382 02080	27-Sep-02	030 217 02200	27-Sep-02
040 333 06410	27-Sep-02	020 165 03010	27-Sep-02

Authority: Item 1, Transport and Environment
Committee Report 11-00 (PWT00118)
CM: June 27, 2000

Bill No. 273

City of Hamilton

BY-LAW NO. 01-273

To Authorize:

1. The construction of a local improvement without petition under Section 12 of The Local Improvement Act to pave the alley from Dunsmure Road to approximately 48m southerly to the south limit of 73 Garfield South, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of Report 11-00 of the Transport and Environment Committee on June 27, 2000;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980:

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligations limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$22,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$7,527.52 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual installments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by the City of Hamilton.
 - (a) to the extent sufficient to provide an amount not exceeding \$7,527.52;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to the City of Hamilton.
4. The General Manager, Transportation, Operations and Environment is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works: and,
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED and enacted this 27th day of November, 2001.



Mayor



City Clerk

SCHEDULE "A"

The paving of the alley from Dunsmure Road to approximately 48m southerly to the south limit of 73 Garfield South at the costs not exceeding those set out below:

City's Share	\$14,472.48
Owners' Share	<u>7,527.52</u>
TOTAL ESTIMATED COST	<u>\$22,000.00</u>
Estimated Cost per metre frontage	\$94.00
Fifteen (15) annual instalments	

THE CITY OF HAMILTON

BY-LAW NO. 01-274

**A BY-LAW TO PROVIDE PROPERTY TAX REBATES
FOR ELIGIBLE CHARITIES AND SIMILAR
ORGANIZATIONS OCCUPYING COMMERCIAL
OR INDUSTRIAL PROPERTY IN THE
CITY OF HAMILTON**

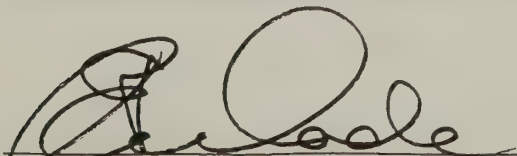
WHEREAS it is necessary for the Council of The City Of Hamilton, pursuant to the Municipal Act, as amended by the Small Business and Charities Protection Act, 1998, and the Continued Protection for Property Taxpayers Act, 2000, to provide tax rebates to eligible charities and similar organizations occupying land in the commercial property class or the industrial property class;

AND WHEREAS The City Of Hamilton has established a *Policy on Tax Rebates for Eligible Charities and Similar Organizations*;

NOW THEREFORE the Council of The City Of Hamilton enacts as follows:

1. That tax rebates for eligible charities and similar organizations occupying land in the commercial property class or the industrial property class in The City Of Hamilton will be provided in accordance with The City Of Hamilton's *Policy on Tax Rebates for Eligible Charities and Similar Organizations* as approved by City Council from time to time.
2. For the purposes of this By-Law:
 - a) a charity is eligible if it is a registered charity as defined in the Income Tax Act and has a registration number issued by the Department of National Revenue;
 - b) a similar organization is eligible if it meets all required criteria for similar organizations in accordance with The City Of Hamilton's *Policy on Tax Rebates for Eligible Charities and Similar Organizations*.
3. This By-Law shall come into force and take effect as of January 1, 2001.

PASSED AND ENACTED this 27th day of November, 2001.



Mayor



City Clerk

THE NEW CITY OF HAMILTON
POLICY ON TAX REBATES FOR ELIGIBLE CHARITIES AND
SIMILAR ORGANIZATIONS
(The City Of Hamilton By-Law No. 01-274)

POLICY OBJECTIVE:

The purpose of this policy is to provide tax rebates to eligible charities (and similar organizations) occupying commercial or industrial property that were previously exempt from paying the Business Occupancy Tax (BOT) and previously paid taxes at the residential property tax rates. This policy recognizes that the Fair Municipal Finance Act, 1998, may have impacts on the amount of property taxes such organizations are required to pay through their leases and provides relief in the form of tax rebates to a maximum amount and subject to certain conditions as set out in the policy.

LEGISLATIVE AUTHORITY:

This policy has been developed in accordance with Section 442.1 of the *Municipal Act* as added by Section 48 of the Fair Municipal Finance Act, 1998 (No. 2) (Bill 149) and further amended by Section 27 of the Small Business and Charities Protection Act, 1998 (Bill 16) and the Continued Protection for Property Taxpayers Act, 2000 (Bill 140).

ADMINISTRATION:

The administration of this policy is the responsibility of the Treasurer of the City of Hamilton or their designate.

I) GENERAL PRINCIPLES

Organizations Eligible for Tax Rebates:

To be eligible for tax rebates, organizations must meet the following criteria:

- a) be a charitable organization (or not-for-profit organization) as defined in subsection 248(1) of the *Income Tax Act* and have a registration number issued by the Department of National Revenue; or

provide evidence that they are non-profit status as identified in section 149(1)(e),(l),(j),(k) and (l) of the *Income Tax Act*;
- b) be occupying leased or owning commercial or industrial property;
- c) be an organization that was previously exempt from business occupancy taxes;
- d) be able to identify the amount of taxes included in their lease payments.

II) APPLICATION PROCEDURE

Eligible organizations must apply for the tax rebate on an annual basis as follows:

- a) Eligible charities and similar organizations must apply to the Treasurer in writing and on the form prescribed by the City of Hamilton from time to time for this purpose;
- b) Applications for rebates will not be accepted beyond the last day of February for the previous taxation year;
- c) verification of documentation provided with an application may be carried out independently, at the discretion of the Treasurer.

III) AMOUNT OF THE TAX REBATE

- a) Where a charity or similar organization leases or owns property within the commercial or industrial property class, tax rebates for eligible charities and eligible similar organizations will be **40% of the taxes paid** by the charitable or similar organization through its lease or tax payments providing all of the conditions in section I above are met.

IV) PAYMENT OF TAX REBATES

- a) Applications received within the prescribed due dates will be processed within 60 days of receipt. For eligible properties, a payment of 50% of the total rebate will be issued within 60 days, with the remainder paid within 120 days of receipt.

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
C.M: October 16, 2001

Bill No. 275

City of Hamilton

BY-LAW No. 01-275

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"SANDRINA GARDENS, PHASE 5"
REGISTERED PLAN OF SUBDIVISION 62M-938**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
By-law to remove land within "Sandrina Gardens, Phase 5"
Subdivision, Plan 62M-938 from Part Lot Control
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights-of-encroachments, as shown on Reference Plan 62R-15972, shall not apply to the following lands:

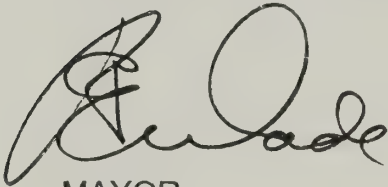
Lots 2 - 20, inclusive, and Lots 23 - 41, inclusive, Registered Plan Number 62M-938, in the City of Hamilton.
2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

3. This By-law shall cease, expire and be of no further effect on
December 1, 2002.

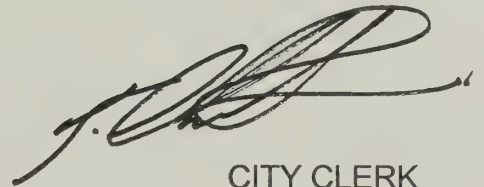
PASSED this 27th day of

November

A.D. 2001.



MAYOR



CITY CLERK

DiCenzo Construction Co. Ltd., owner
PLC-00-08

Authority: Item1, Hearings Sub- Committee
Report 01-027 (PD01188)
CM: October 30, 2001

Bill No. 276

City of Hamilton

BY-LAW NO. 01-276

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED AT 151 UPPER CENTENNIAL PARKWAY SOUTH
(formerly Stoney Creek)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsection 8.3.2 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 16 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

(a) by changing from the Neighbourhood Development "ND" Zone to the General Commercial "GC-49" Zone (Block 1) and to the Open Space "OS" Zone (Block 2), the land known as 151 Upper Centennial Parkway South; and

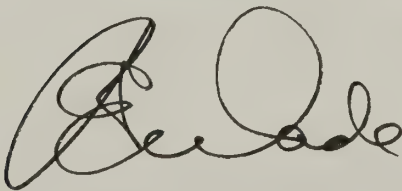
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. Subsection 8.3.8, "Special Exemptions", of Section 8.3, General Commercial "GC" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), is hereby amended by adding the a new special exemption, "GC-49", which is applicable to the lands identified as Block 2 on Schedule "A", and includes the following variance:

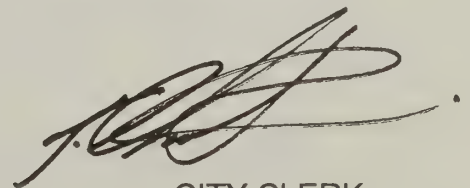
"In addition to the uses permitted in Section 8.3.2 of the General Commercial "GC" Zone of Zoning By-law No. 3692-92, the manufacturing and repair of furniture shall also be permitted in conjunction with the retail sales of furniture."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

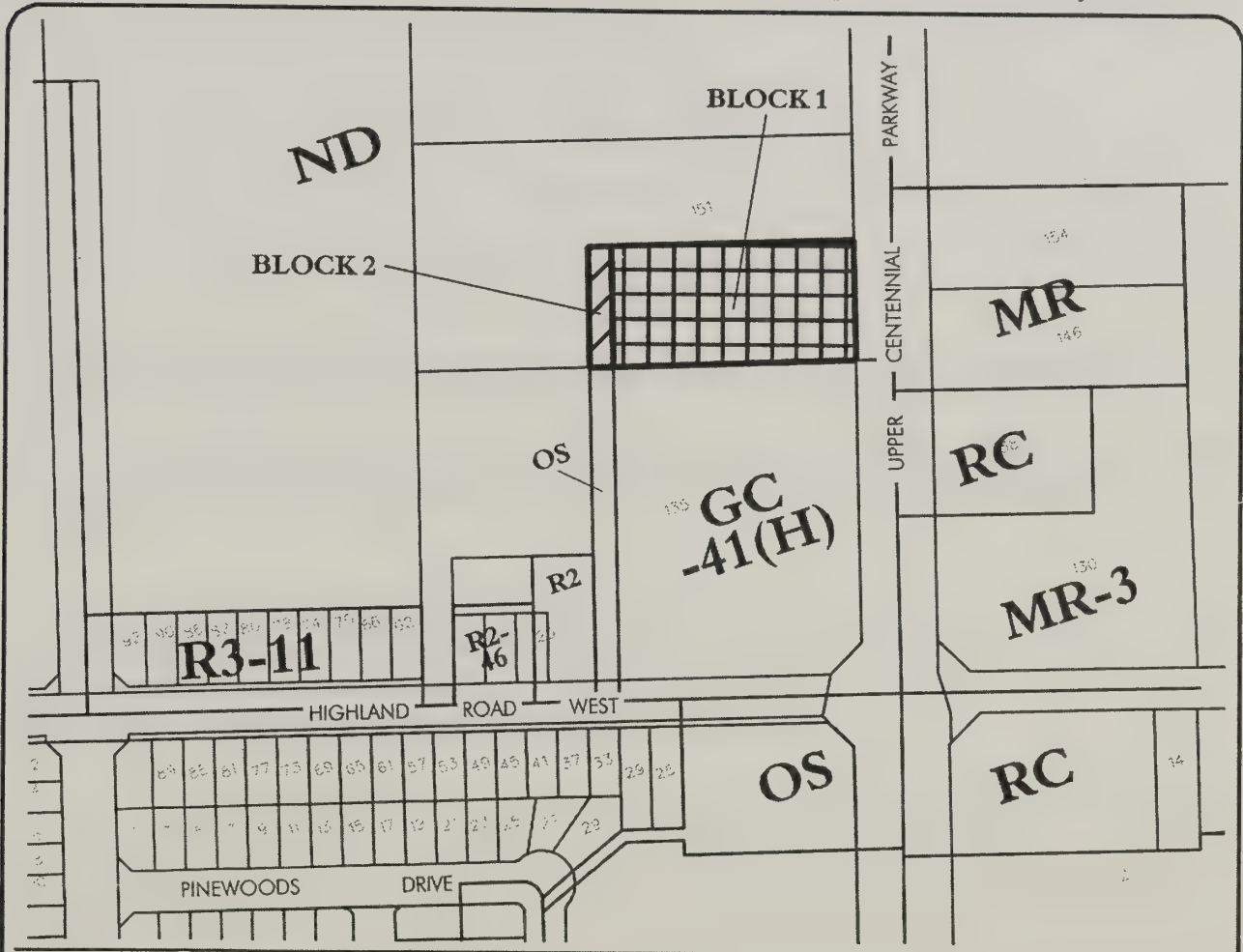
PASSED this 27th day of November A.D. 2001



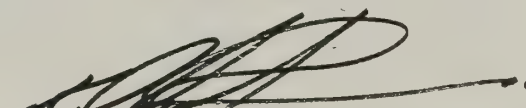
MAYOR



CITY CLERK



This is Schedule "A" to By-Law No. 01 --2.7.6.....
Passed the27th day of November, 2001.


Clerk


Mayor

City of Hamilton

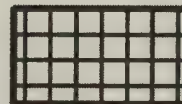
Schedule "A"

Map Forming Part of
By-Law No. 01- 276

to Amend By-Law No. 3692-92

Planning and Development Department

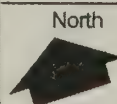
Legend



Block 1:
Change in Zoning From Neighbourhood
Development "ND" Zone to General
Commercial "GC-49" Zone



Block 2:
Change in Zoning From Neighbourhood
Development "ND" Zone to Open Space
"OS" Zone



North

Scale
NOT TO SCALE

Date
Nov. 15, 2001

Reference File No.
ZAC-01-32

Drawn By
M.C.

City of Hamilton

BY-LAW NO. 01- 277

To Amend:

Zoning By-law No. 6593 (Hamilton)
Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1187 and 1193 WEST 5th STREET

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending Zoning By-law No. 6593 (Hamilton), passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-9D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) District to "RT-20" - 'H' (Townhouse - Maisonette - Holding) District,

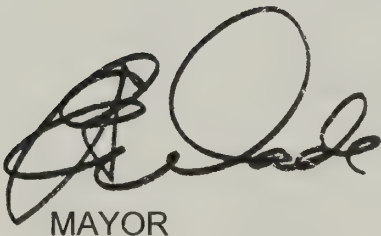
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon the availability of municipal storm and sanitary sewers to service the subject lands; and,

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "RT-20" District provisions, as contained in Section 10E of Zoning By-law No. 6593 (Hamilton), applicable to the lands.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of November A.D. 2001

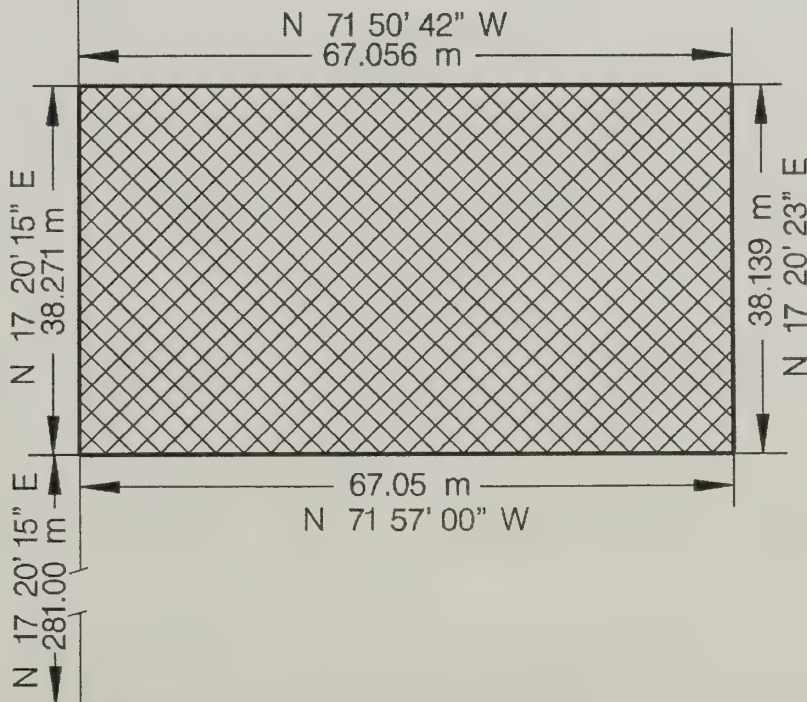


MAYOR

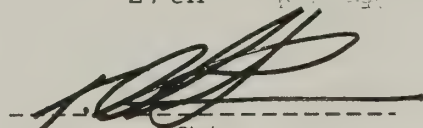


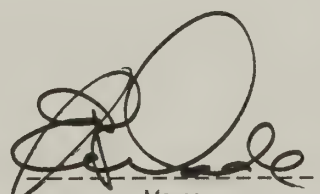
CITY CLERK

ZAR-01-38
Sheldon Goodman, Monterra Capital, owner
(c/o John A. Rosart)

West 5th Street*Rymal Road West*

This is Schedule "A" to By-Law No. 01-277.....
 Passed the 27th day of February, 2001.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-_____

Planning and Development Department

Legend

Change from "RT-20" (Townhouse Maisonette)
 District to "RT-20"-H" (Townhouse Maisonette -
 Holding) District for Lands located at 1187 and
 1193 West 5th Street

North



Scale
NOT TO SCALE

Date
**November
 20th, 2001**

Reference File No.

ZA001-38

Drawn By
P.T.

City of Hamilton

BY-LAW NO. 01 -278

To Amend:

Zoning By-law No. 6593 (Hamilton)
As Amended by Zoning By-law No. 93-168(Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 260 - 280 KING STREET EAST

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of City of Hamilton passed By-law No. 93-168 (Hamilton) on the 27th day of July 1993 to change the zoning from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District) and to establish special requirements with respect to the subject lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 93-168 (Hamilton) provides that upon the applicant/owner applying for and receiving approval of a Site Plan Control Application and having it registered on title, the 'H' symbol shall be removed by amendment to By-law No. 93-168 (Hamilton);

AND WHEREAS receipt and acknowledgement of Site Plan Control Application approval and its registration on title has been completed;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

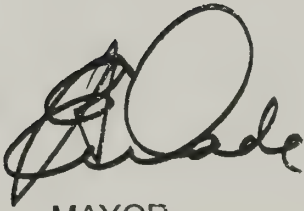
AND WHEREAS City Council in adopting Section 5.1 of the Report 31 of the Hearings Sub-Committee at its meeting held on the 20 day of November, 2001, directed that By-law No. 93-168 (Hamilton) be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

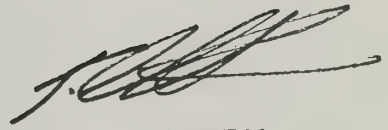
1. The 'H' (Holding) symbol affixed by By-law No. 93-168 (Hamilton), passed on the 27th day of July 1993, to the "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 93-168 (Hamilton) and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the "H" (Community Shopping and Commercial, etc.) District provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in section 3 of By-law No. 93-168 (Hamilton).
2. Sheet No. E-4 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended by section 1 of By-law No. 93-168 (Hamilton), is further amended by changing from "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified to "H" (Community Shopping and Commercial, etc.) District, modified, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 3 of By-law No. 93-168 (Hamilton).
4. By-law No. 6593 (Hamilton), as amended by By-law No. 93-168 (Hamilton), is further amended by adding this by-law to section 19B as Schedule S-1189a.
5. Sheet No. E-4 of the District Maps, as amended by By-law No. 93-168 (Hamilton), is further amended by marking the lands referred to in section 2 of this by-law, S-1189a.

6. In all other respects, By-law No. 93-168 (Hamilton) is hereby confirmed,
unchanged.

PASSED this 27th day of November 2001

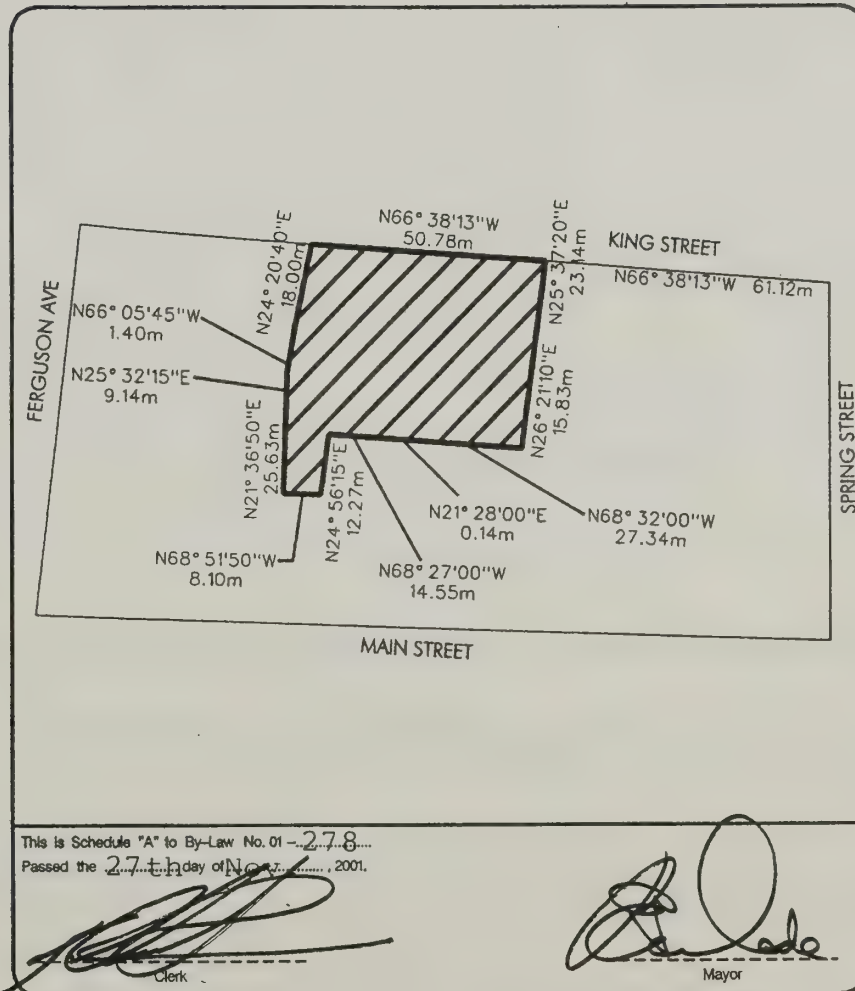


MAYOR



CITY CLERK

ZAR-99-42
Sapllacci & Sons Ltd., owner



City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-278
to Amend By-Law No. 6593

Planning and Development Department

Legend

"H" - "H" (Community Shopping
and Commercial, etc., Holding)
District modified to "H" (Community
Shopping and Commercial, etc.)
District modified

North 	Scale NOT TO SCALE	Reference File No. ZAR-99-42
	Date November, 2001	Drawn By L.M.

Authority: Item 3.4 Hearings Sub-Committee
Report 01-029 (PDO1127)
CM: November 13, 2001

Bill No. 279

City of Hamilton

BY-LAW NO. 01-279

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 897 STONE CHURCH ROAD EAST

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3.4 of Report 01-029 of the Hearings Sub Committee at its meeting held on the 13th day of November, 2001, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

By-law Respecting 897 Stone Church Road East

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-49C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, the land comprised in Block "1"; and,
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Low Density Multiple Dwellings) District provisions as contained in Section 10A of Zoning By-law No. 6593 (Hamilton), applicable to Blocks "1" and "2", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A(5) of Zoning By-law No. 6953 (Hamilton), not less than 45% of the area of the lot shall be provided and maintained as landscaped area; and,
- (b) notwithstanding Section 18A(14g) of Zoning By-law No. 6593 (Hamilton), parking shall be permitted to encroach not more than 1.0 metres into the required front yard (Stone Church Road East).

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2 of this by-law.

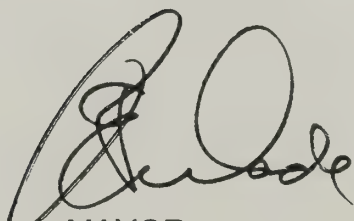
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1459.

5. Sheet No. E-49C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1459.

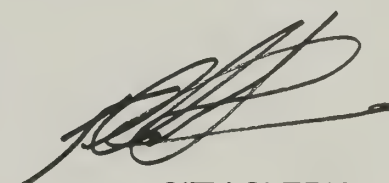
By-law Respecting 897 Stone Church Road East

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of November A.D. 2001



MAYOR

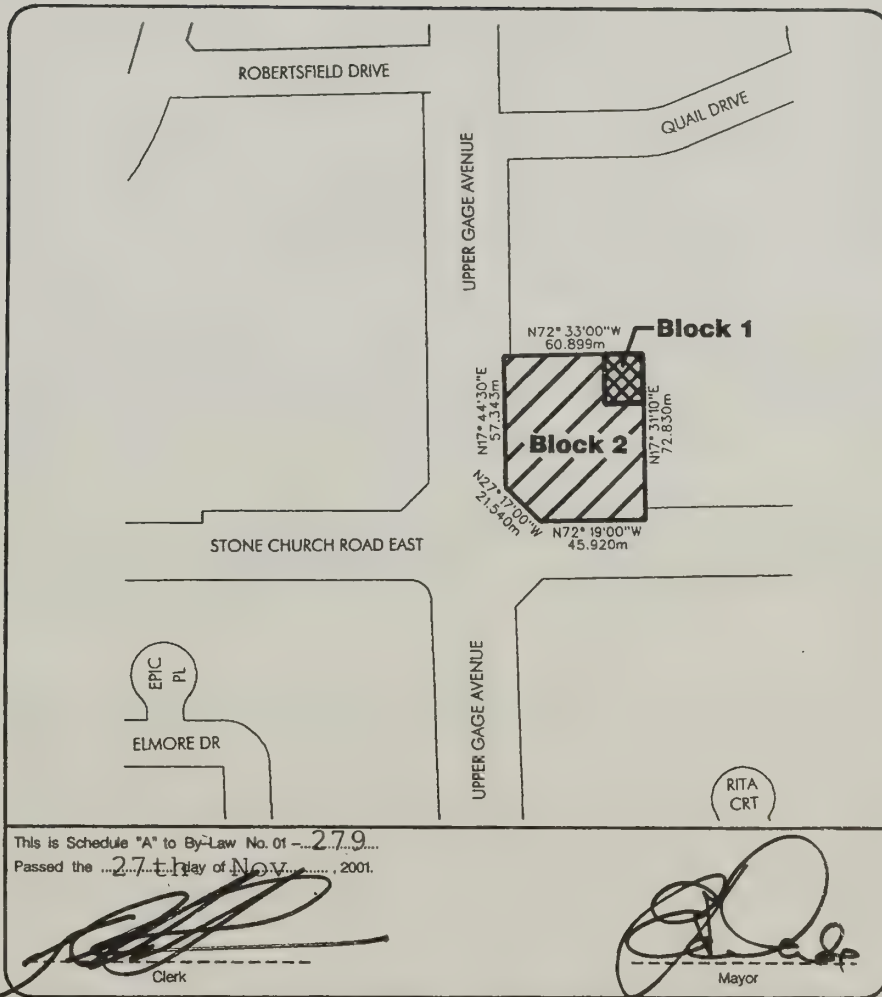


CITY CLERK

ZAC-01-21

Manico Investment Inc., owner.

By-law Respecting 897 Stone Church Road East



City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-279

to Amend By-Law No. 6593

Planning and Development Department

Legend

Block 1



Change in Zoning from "AA" (Agricultural)
District to "DE" (Low Density Multiple
Dwellings) District, Modified

Block 2



Change in Zoning from "C" (Urban
Protected Residential, etc.) District to
"DE" (Low Density Multiple Dwellings)
District, Modified



Scale
NOT TO SCALE
Date
November, 2001

Reference File No.
ZAC-01-21
Drawn By
L.M.

City of Hamilton

BY-LAW NO. 01-280

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

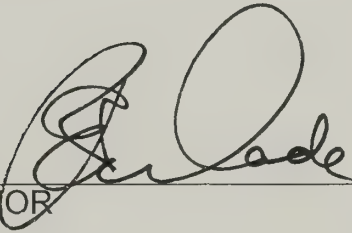
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following items, namely:

"Jeremy Drive	Southbound	Bridgette Drive
Bridgette Drive	Eastbound	Benjamin Drive"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 27th day of November, A.D. 2001

A handwritten signature in black ink, appearing to be "E. Lade", written over a horizontal line.

MAYOR

A handwritten signature in black ink, appearing to be "R. B. B.", written over a horizontal line.

CITY CLERK

Bill No. 281

City of Hamilton

BY-LAW NO. 01-281

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

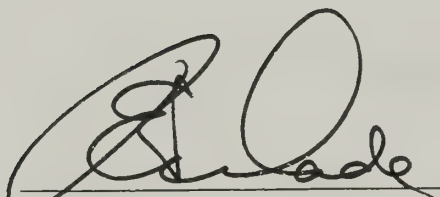
1. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

"Dartford Southbound Berko"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 27th day of November, A.D. 2001


MAYOR
CITY CLERK

City of Hamilton

BY-LAW NO. 01-282

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

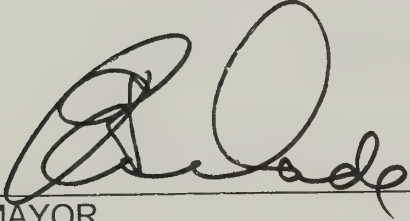
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Thunderbird Westbound Hanover"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 27th day of November, A.D. 2001


MAYOR
CITY CLERK

Authority: Items 26, 27, 28 and 36
Committee of the Whole Report 01-036
(TOE01191; TOE01183; TOE01181;
TOE01130)
CM: November 27, 2001

Bill No. 283

City of Hamilton

BY-LAW NO. 01-283

To Amend:

By-law No. 89-72, as amended,
and By-law No. 01-215, as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 89-72 and By-law No. 01-215, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Magnolia	Eastbound and Westbound	Appleford
Dunsmure	Eastbound and Westbound	Fairfield
Britannia	Eastbound and Westbound	Adair
Britannia	Eastbound and Westbound	Glassco
Thunderbird	Westbound	Hanover"

2. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

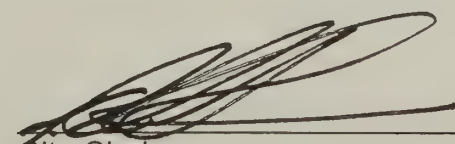
"Magnolia	Eastbound and Westbound	Appleford
Dunsmure	Eastbound and Westbound	Fairfield
Britannia	Eastbound and Westbound	Adair
Britannia	Eastbound and Westbound	Glassco
Thunderbird	Westbound	Hanover"

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 and By-law No. 01-215, including all Schedules thereto, as amended, are hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 27th day of November, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-284

To Amend:

By-law No. 76-46 (Ancaster), as amended,
and By-law No. 01-215, as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of June, 1976, the Council of the Corporation of the Town of Ancaster enacted By-law No. 76-46 to provide for the regulation of traffic on highways within the jurisdiction of The Corporation of the Town of Ancaster;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality the Corporation of the Town of Ancaster;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the former area municipality the Corporation of the Town of Ancaster continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 76-46 and By-law No. 01-215, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 76-46, as amended, is hereby further amended by adding to Schedule "D" thereof (Stop Streets), and under Columns 1 and 2, the following items, namely:

"Kitty Murray Lane and Cabriolet Crescent	On Kitty Murray Lane	Cabriolet Crescent
--	----------------------	--------------------

Cabriolet Crescent	On Cabriolet Crescent	Kitty Murray Lane"
--------------------	-----------------------	--------------------

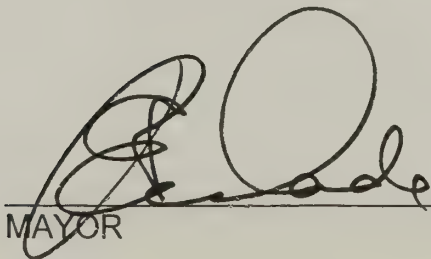
2. That By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" of Schedule 5 (Stops at Intersections) thereof the following items, namely:

"Kitty Murray Lane and Cabriolet Crescent	On Kitty Murray Lane	Cabriolet Crescent
--	----------------------	--------------------

Cabriolet Crescent	On Cabriolet Crescent	Kitty Murray Lane"
--------------------	-----------------------	--------------------

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 76-46 and By-law No. 01-215, including all Schedules thereto, as amended, are hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 27th day of November A.D. 2001


MAYOR


CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01- 285

To Confirm the Proceedings of City Council at its meeting held on November 27, 2001

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

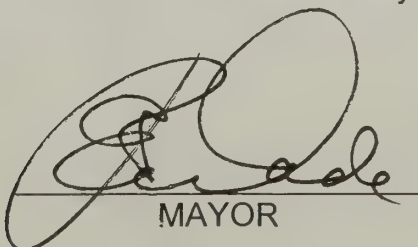
1. The Action of City Council at its meeting held on the 27th day of November, 2001 in respect of each recommendation contained in:

Report 01-031 of the Hearings Sub Committee,
Report 01-032 of the Hearings Sub Committee,
Report 01-033 of the Hearings Sub Committee,
Report 01-036 of the Committee of the Whole,
Report 01-037 of the Committee of the Whole,

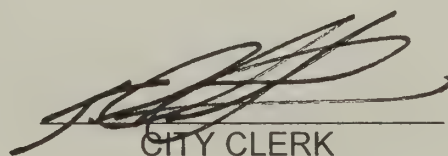
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 27th day of November, 2001



MAYOR



CITY CLERK

Authority: Item 1 of Hearings Sub-Committee
Report 01-029 (PD01199)
C.M. November 27, 2001

Bill No. 286

City of Hamilton

BY-LAW NO. 01-286

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED AT 32 MACDUI DRIVE
(formerly Stoney Creek)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsections 6.3.7 and 11.2.5 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 7 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:

- (a) by changing from the from the Open Space "OS-3" Zone to the Single Residential "R2-47" Zone, the land comprised in Block "1" and;
- (b) by changing from the Open Space "OS-3" Zone to the Open Space "OS-6" the land comprised in Block "2" and;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 6.3.7, "Special Exemptions", of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek) applicable to Block "1", be amended by adding a new special exemption, "R2-47" to include the following variance:

Notwithstanding the provisions of paragraphs (d)(1) and (f) of Subsection 6.3.3 of Zoning By-law No. 3692-92, the following shall apply:

- (d)(1) An attached garage may be erected at a distance of not less than 4.0 metres from those lands zoned Open Space "OS-6" Zone;
- (f) The maximum building height shall be 8.25 metres.

3. That Subsection 11.2.5, "Special Exemptions", of Section 11.2, Open Space "OS" Zone, of Zoning By-law No. 3692-92 (Stoney Creek) applicable to Block "2", be amended by adding a new special exemption, "OS-6" to include the following variance:

Notwithstanding the provisions of Section 11.2.2 of the Open Space "OS" Zone, those lands zoned "OS-6" by this By-law shall only be used for uses existing at the date of the passing of this By-law. No buildings or structures including a fence shall be permitted.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

By-law Respecting Lands located 3
at 32 MacDui Drive (formerly
Stoney Creek)

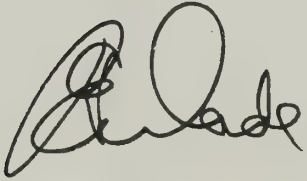
PASSED this

11th

day of

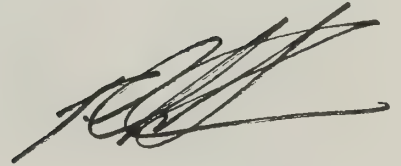
December

A.D. 2001

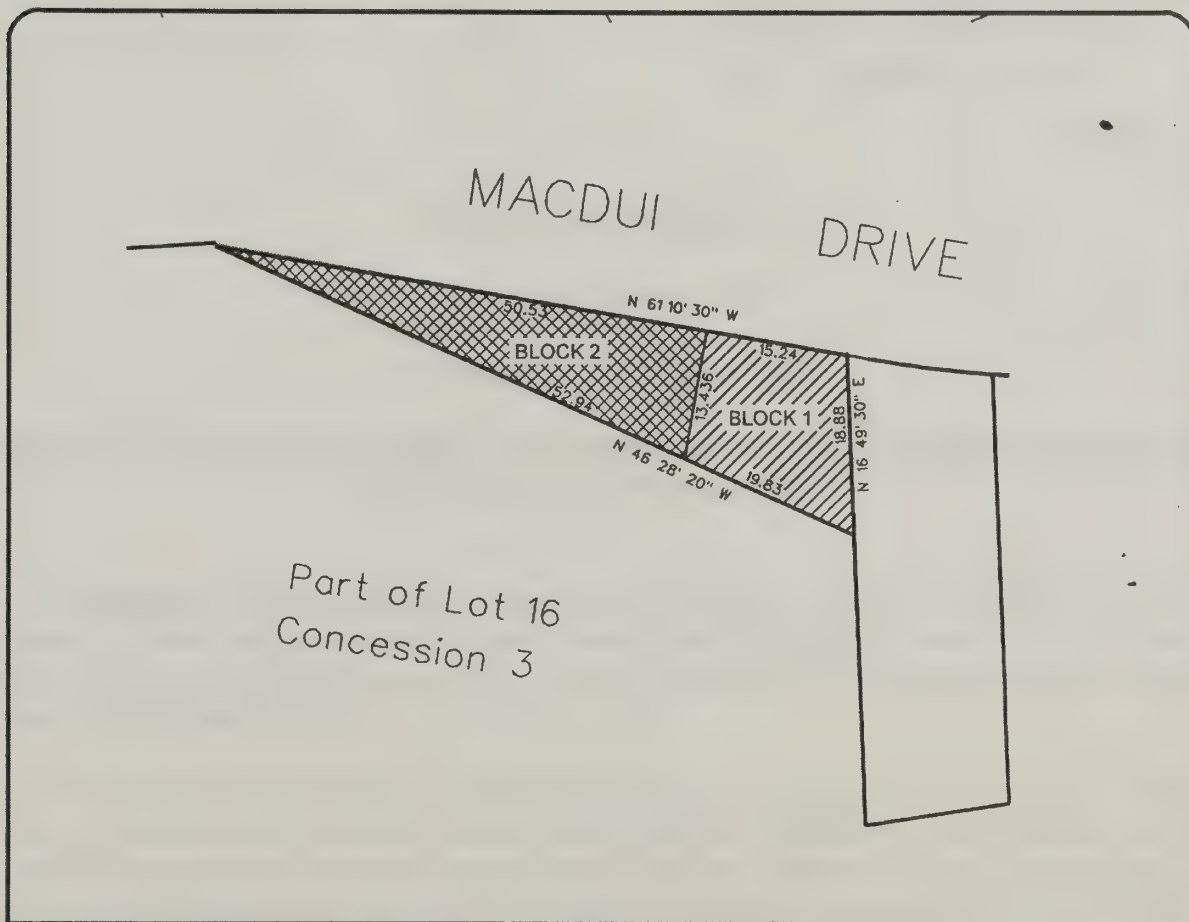


MAYOR

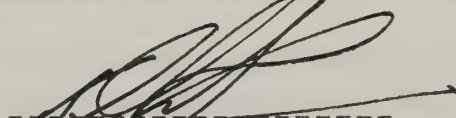
Tony Thoma
ZAC-01-36



CITY CLERK



This is Schedule "A" to By-Law No. 01-286.....
Passed the 11th day of Dec., 2001.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-286
to Amend By-Law No. 3692-92

Planning and Development Department

Legend



BLOCK 1
Change from the Open Space "OS-3"
Zone to the Single Residential "R2-47"
Zone.



BLOCK 2
Change from the Open Space "OS-3"
Zone to the Open Space "OS-6" Zone.

North



Scale
NOT TO SCALE

November
21st, 2001

Reference File No.

ZAC-01-36

Drawn By

P.T.

Authority: Item 3, Committee of the Whole
Report 01-035 (FCS01102)
CM: November 13, 2001
Item 7, Committee of the Whole
Report 01-038 (FCS01121)
CM: December 11, 2001

Bill No. 287

THE CITY OF HAMILTON

BY-LAW NO 01- 287

TO AMEND BY-LAW 01-084

**BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS
FOR THE CITY OF HAMILTON**

WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS Section 207(45) of the Municipal Act R.S.O. 1990, c.M.45, as amended, authorizes the council of any municipality to appoint certain officers or such officers and employees as may be necessary for the purposes of the corporation, or for carrying into effect any Act or Legislature or by-law of the Council, and for fixing their remuneration and prescribing their duties, and the security to be given for the performance of them;

AND WHEREAS Section 210(46) of the Municipal Act, as amended, provides that local municipalities may pass by-laws to authorize appointed officers to enter property to ascertain whether the by-law is obeyed and to enforce and carry into effect the by-law;

AND WHEREAS the Council of the City of Hamilton, on the 15th day of May, 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 01-084;

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Than Schedule A of By-law No. 01-084 is hereby amended by adding thereto the following names:

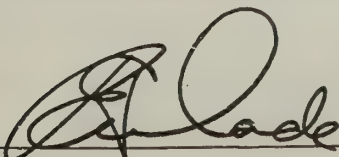
"Anthony Christison
Patricia Tompkins
Karen Edwards
Jason Jacklin
Robert Crowley
Guruveer Sangha
Kandace Jones
John Vollmer
George Thompson
Kim Hill
Charles Eke
Wanita Flokstra
Mary Kolacevic
Brenda Dawson
Brian Lanto
Ronald MacVicar
George Babcock
Fred Evans

and by deleting therefrom the following names:

"Jeff Turner
Ron Kirouc
Nicole Savoy
Clifford Orr
Paul Brown
Ron Arnold
Andy Travers
William Green"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule thereto, is hereby confirmed unchanged.
3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of December, 2001.



Mayor



City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001

Bill No. 288

City of Hamilton

BY-LAW NO. 01- 288

To Amend:

By-law No. 01-218, as amended,

TO REGULATE ON-STREET PARKING

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"West 3rd Both McElroy to South Bend 1 hr 8 am - 4 pm Mon to Fri"

and by deleting from Section "E" thereof the following item, namely:

"West 3rd West McElroy to South Bend 1 hr 8 am - 4 pm Mon - Fri"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Augusta South commencing 22.8m east of James and Anytime
extending 10.7m easterly therefrom

Augusta	South	Hughson to 42.4m westerly	Anytime
London	West	commencing 82.9m north of King and extending 18.3m northerly therefrom	Anytime
St. Andrews	North	Quigley to 134m west of Nicklaus	Anytime
Redmond	East	Rushdale to 29.6m southerly	Anytime
Redmond	East	commencing 66.4m south of Rushdale and extending to Stone Church	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Augusta	South	James to John	Anytime
London	West	commencing at a point 11 feet north of the north curb line of Central to a point 86 feet southerly therefrom	Anytime
St. Andrews	Both	Quigley to 300 ft. west	Anytime
St. Andrews	North	Nicklaus to 440 ft. west	Anytime
Redmond	East	Rushdale to Stone Church	Anytime"

and by adding to Section "F" thereof the following items, namely:

"Glenview Drive	South	Centennial Parkway to 36.6m easterly	Anytime
Glenview Drive	North	Centennial Parkway to 32.6m easterly	Anytime"

and by deleting from Section "F" thereof the following item, namely:

"Glenview Drive	Both	From Centennial Parkway South to a point 30m east	Anytime"
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3. Schedule 10 (Alternate Side Parking) of By-law No. 01-218, as amended is hereby further amended by adding to Section "E" thereof the following item, namely:

"West 3rd Street McElroy Road West to South Bend Road West	West	East"
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4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Charlton	South	commencing 70.7m west of Dundurn and extending 5.8m westerly therefrom	Anytime
Locke	East	commencing 19.8m south of Peter and extending 46m southerly therefrom	Anytime
Beechwood	South	commencing 13.4m east of Barnesdale and extending 6.7m easterly therefrom	Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Locke	East	commencing at a point 80 feet north of Napier to a point 117 feet northerly therefrom	Anytime
Gibson	West	commencing 257 feet north of Cannon and extending 18 feet northerly therefrom	Anytime
Gibson	East	commencing 279 feet north of Cannon and extending 17 feet northerly therefrom	Anytime"

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Augusta	South	James to 15.2m easterly	Anytime
Augusta	South	commencing 33.5m east of James and extending 21.6m easterly therefrom	Anytime"

6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereto the following item, namely:

"Augusta	South	commencing 15.2m east of James and extending 7.6m easterly therefrom	Anytime"
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7. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Augusta	South	33 ft. 125 ft. east of James	Anytime"
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8. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Brampton	South commencing 71m west of Woodward and extending 13.7m westerly therefrom	7:00 am - 6:00 pm Monday to Saturday"
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and by deleting from Section "E" thereof the following item, namely:

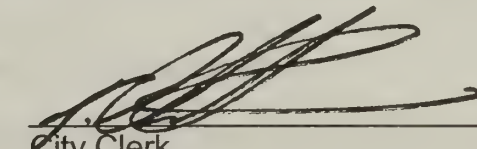
"Brampton	South commencing 710m west of Woodward and extending 13.7m westerly therefrom	7:00 am - 6:00 pm Monday to Saturday"
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9. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, as amended, including all Schedules thereto, is hereby confirmed unchanged.
10. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of December, 2001.



Mayor



City Clerk

Authority: Item 6, Committee of the Whole
Report 01-038 (FCS01129)
CM: December 11, 2001

Bill No. 289

CITY OF HAMILTON

BY-LAW NO. 01-289

To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the city to meet current budget expenditures for the year 2002 pending receipt of current revenues;

AND WHEREAS section 187(1) of the *Municipal Act*, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

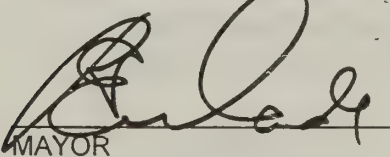
AND WHEREAS Section 187(2) of the said Act, as amended from time to time, imposes certain limitations on the amounts that may be borrowed at any one time:

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

1. (1) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the City for the year 2002, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in the estimates adopted for the year, which percentages are set out in section 187 of the *Municipal Act* as it may be amended from time to time.

2. (1) Until estimates of revenue of the City for the 2002 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.
- (2) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2001 are NINE HUNDRED AND TWENTY FOUR MILLION, NINE HUNDRED AND SEVENTY SIX THOUSAND DOLLARS (\$924,976,000.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This by-law shall come into force and effect on the 1st day of January 2002, and shall remain in force and effect until December 31, 2002.

PASSED and ENACTED this 11th day of December, 2001 A.D.


MAYOR


CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 01-290

To Authorize AN INTERIM TAX LEVY for 2002

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Sections 370 and 371 of The Municipal Act, Chapter M.45, R.S.O. 1990, as amended;

AND WHEREAS Sections 370 and 371 of The Municipal Act, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2002;

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

<u>Column 1</u>	<u>Column 2</u>
Class	Class Code
Residential	RT
Farmlands Awaiting Development	C1
Multi-Residential	MT
Residual Commercial	CT/DT
Residual Commercial Vacant	CU/DU
Shopping Centre	ST
Shopping Centre Vacant	SU

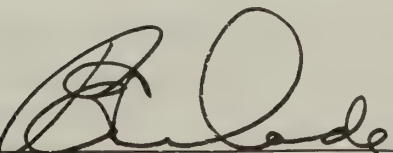
Parking and Vacant Commercial Land	CX/GT
Residual Industrial	IT
Residual Commercial Vacant Land and Unit	IU/IX
Large Industrial	LT
Large Industrial Vacant	LU
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT

2. The interim tax levy shall become due and payable in two installments as follows:

Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 28th day of February, 2001 and the balance of the interim levy shall become due and payable on the 30th day of April, 2001 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. The penalties and interest on the interim taxes in arrears shall be 1.25% per month, imposed on the first day of default and on the first day of each calendar month thereafter in which default continues.
4. The interim tax levy rates shall also apply to any property added to the Assessment Roll after this By-law is enacted.
5. This by-law shall come into force and effect on the 1st day of January, 2002.

PASSED and enacted this 11th day of December, 2001.



Mayor



City Clerk

City of Hamilton

By-law No. 01-291

Respecting the Tariffs of Cemetery Fees and Charges

WHEREAS Council deems it expedient to amend various by-laws to add the previously approved tariff of fees and charges applicable to the operation of cemeteries and sale of property, goods and services relating to cemeteries for 2001, which was approved by Council on July 10, 2001 and to be effective on October 9, 2001;

AND WHEREAS Council further deems it expedient to provide for a new tariff of fees and charges applicable to the operation of cemeteries and sale of property, goods and services relating to cemeteries, to be effective on January 1, 2002;

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is successor to the following former area municipalities: The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton, and The Corporation of the City of Stoney Creek (hereinafter the said former municipalities may be referred to as the "former area municipalities");

AND WHEREAS the City of Hamilton Act, 1999 provides that the by-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton and it is Council's intent to amend by-laws and the fees and charges adopted in each of the former area municipalities;

AND WHEREAS the Cemeteries Act (Revised), R.S.O. 1990, Chapter C.4 provides for the charging of fees, and the filing of a price list by the owner of a cemetery;

AND WHEREAS section 220.1 of The Municipal Act, R.S.O. 1990, Chapter M.45 authorizes bylaws for imposing fees for services provided by or on behalf of the municipality;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Tariff Changes in 2001

1. (1) Schedule "A" attached to and forming a part of this by-law, and being the Tariff of Fees and Charges applicable to the sale of property, goods and services in respect of cemeteries for 2001 as previously adopted by Council on July 10, 2001, is deemed to contain the fees and charges to be imposed for such items respecting cemeteries in the City of Hamilton, effective October 9, 2001.

(2) The fees and charges established in Schedule "A", repeal and replace the corresponding fees and charges established by the former area municipalities in respect of cemeteries and related fees and charges for cemetery property, goods and services.

(3) Notwithstanding the generality of subsections (1) and (2), the following By-laws as listed, of the Former Area Municipalities as listed, all as amended, are hereby further amended as follows:

(a) That By-law No. 4074-93 (Dundas) as amended, be further amended by repealing and replacing Schedule "A" to the by-law with Schedule "A" to this By-law;

(b) That By-law No. 500-94 (Glanbrook) as amended, be further amended by repealing and replacing the internment rights and cemetery services price list to the by-law with Schedule "A" to this By-law;

(c) That By-law No. 8861 (Hamilton) as amended, be further amended by repealing and replacing Schedule "A-2000" of the by-law with Schedule "A" to this By-law and naming it "Schedule A-2001"; and

(d) That By-law No. 4260-95 (Stoney Creek) as amended, be further amended by repealing and replacing Schedule "A" of the by-law with Schedule "A" to this By-law.

(4) The following By-laws of the Former Area Municipalities all as amended, are hereby further amended as follows:

(a) That By-laws No. 4074-93 (Dundas), No. 94-51R (Flamborough), No. 500-94 (Glanbrook), No. 8861 (Hamilton) and No. 4260-95 (Stoney Creek) are each amended by the addition of the following recitals, after the first recital on page one of the respective by-laws:

"AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is successor to the following former area municipalities: The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton, and The Corporation of the City of Stoney Creek (the "former area municipalities");

AND WHEREAS the City of Hamilton Act, 1999 provides that the by-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Council of the City of Hamilton deems it expedient to provide for a new tariff of fees and charges applicable to the operation of cemeteries and sale of property, goods and services relating to cemeteries;"

TARIFF CHANGES FOR 2002

2. (1) Schedule "B" attached to and forming a part of this by-law, and being the Tariff of Fees and Charges applicable to the sale of property, goods and services in respect of cemeteries for 2002, is deemed to contain the fees and charges to be imposed for such items respecting cemeteries in the City of Hamilton effective January 1, 2002.
- (2) The fees and charges established in Schedule "B", repeal and replace the corresponding fees and charges established by the former area municipalities in respect of cemeteries and related fees and charges for cemetery property, goods and services.
- (3) Notwithstanding the generality of subsections (1) and (2), the following By-laws as listed, of the Former Area Municipalities as listed, all as amended, are hereby further amended as follows:
 - (a) That By-law No. 4074-93 (Dundas) as amended, be further amended by repealing and replacing Schedule "A" to the by-law with Schedule "B" to this By-law;
 - (b) That By-law No. 500-94 (Glanbrook) as amended, be further amended by repealing and replacing the internment rights and cemetery services price list to the by-law with Schedule "B" to this By-law;
 - (c) That By-law No. 8861 (Hamilton) as amended, be further amended by repealing and replacing Schedule "A-2001" of the by-law with Schedule "B" to this By-law and naming it "Schedule A-2002"; and

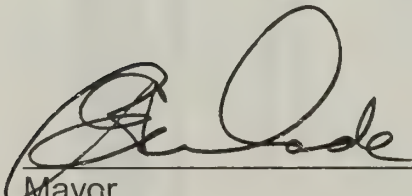
(d) That By-law No. 4260-95 (Stoney Creek) as amended, be further amended by repealing and replacing Schedule "A" of the by-law with Schedule "B" to this By-law.

3. Subject to the amendments made in this By-law, in all other respects the by-laws of the Former Area Municipalities, being By-laws No. 4074-93 (Dundas), No. 94-51-R (Flamborough), No. 500-94 (Glanbrook), No. 8861 (Hamilton), No. 4260-95 (Stoney Creek), and any such by-law amended by the replacement fees of this by-law, all as amended, are hereby confirmed.

4. (1) Sections 1, 3 and 4 of this By-law come into force and effect October 9, 2001.

(2) Section 2 of this by-law comes into force and effect on January 1, 2002.

PASSED and enacted this 11th day of December, 2001.



Mayor

City Clerk

Single Graves

	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery			Mount Zion, Grove, Mountview, Glanbrook & Garden Lane			All other Rural Church, Pioneer and Family Cemeteries		
		G.S.T.	TOTAL		G.S.T.	TOTAL		G.S.T.	TOTAL
Adult Single-In-A-Row Grave (Graves cannot be selected or purchased in advance, but are opened in sequence)	\$616.00	\$43.12	\$659.12						
Preferred Single (Where grave may be selected and purchased in advance of need)	\$1,031.00	\$72.17	\$1,103.17						
Veteran's Grave	\$586.00	\$41.02	\$627.02						
Child (Single-in-a-Row) Stillborn - Case up to 24"	\$79.00	\$5.53	\$84.53						
Child Gr - Case 25" - 60"	\$159.00	\$11.13	\$170.13						
Child Gr - Case 61: - 72"	\$185.00	\$12.95	\$197.95						
Mausoleum	\$1,647.00	\$115.29	\$1,762.29						
* Non-Residents - additional 25% on all property									
Note: Personal Columbariums & Mausoleums are available on an individual basis									
40% of Grave Sales goes into Care & Maintenance 20% of Mausoleum Sales goes into Care & Maintenance									

Single Graves - Non Resident Rates

	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery	Mount Zion, Grove, Mountview, Glanbrook & Garden Lane	All other Rural Church, Pioneer and Family Cemeteries	
	G.S.T.	TOTAL	G.S.T.	TOTAL
Adult Single-In-A-Row Grave (Graves cannot be selected or purchased in advance, but are opened in sequence)	\$770.00	\$823.90		
Preferred Single (Where grave may be selected and purchased in advance of need)	\$1,289.00	\$1,379.23	\$991.00	\$1,060.37
Veteran's Grave	\$732.00	\$783.24	\$69.37	\$734.00
Child (Single-In-a-Row) Stillborn - Case up to 24" Child Gr - Case 25" - 60" Child Gr - Case 61: - 72"	\$99.00 \$199.00 \$232.00	\$6.93 \$13.93 \$16.24		\$51.38
Mausoleum	\$2,059.00	\$2,203.13		\$785.38
* Non-Residents - additional 25% on all property				
Note: Personal Columbariums & Mausoleums are available on an individual basis				
40% of Grave Sales goes into Care & Maintenance 20% of Mausoleum Sales goes into Care & Maintenance				

Lots

Lots									
	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery		Mount Zion, Grove, Mountview, Glanbrook & Garden Lane		All other Rural Church, Pioneer and Family Cemeteries				
	G.S.T.	TOTAL	G.S.T.	TOTAL	G.S.T.	TOTAL			
<u>Two Grave Lots:</u>									
Two Grave Lots									
Eastlawn Cemetery - 6 ft burials									
Hamilton Cemetery									
Woodland - Section 14 (2-graves)									
<u>Three-Grave Lots:</u>									
Three-Grave Lots									
Woodland - Section 14 (3-graves)									
<u>Four-Grave Lots:</u>									
Four-Grave Lots									
Woodland - Section 15 (4-graves)									
*Non-Resident - additional 25% on all graves/lots									
40% of Grave Sales goes into Care & Maintenance									
20% of Mausoleum Sales goes into Care & Maintenance									

Lots - Non Resident Rates

	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery		Mount Zion, Grove, Mountview, Glanbrook & Garden Lane		All other Rural Church, Pioneer and Family Cemeteries	
	G.S.T.	TOTAL	G.S.T.	G.S.T.	G.S.T.	TOTAL
<u>Two Grave Lots:</u>						
Two Grave Lots	\$3,398.00	\$3,635.86	\$2,575.00	\$180.25	\$1,931.00	\$2,066.17
Eastlawn Cemetery - 6 ft burials	\$2,411.00	\$2,579.77	\$1,868.00	\$130.76	\$1,416.00	\$1,515.12
Hamilton Cemetery	\$4,189.00	\$293.23				
Woodland - Section 14 (2-graves)	\$4,874.00	\$341.18				
<u>Three-Grave Lots:</u>						
Three-Grave Lots	\$4,415.00	\$309.05	\$3,444.00	\$241.08	\$2,575.00	\$2,755.25
Woodland - Section 14 (3-graves)	\$5,860.00	\$410.20				
<u>Four-Grave Lots:</u>						
Four-Grave Lots	\$5,785.00	\$404.95	\$5,150.00	\$360.50		
Woodland - Section 15 (4-graves)	\$10,075.00	\$705.25				
40% of Grave Sales goes into Care & Maintenance						
20% of Mausoleum Sales goes into Care & Maintenance						

Cremation						
	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery		Mount Zion, Grove, Mountview, Glanbrook & Garden Lane		All other Rural Church, Pioneer and Family Cemeteries	
	G.S.T.	TOTAL	G.S.T.	TOTAL	G.S.T.	TOTAL
<u>Cremation Graves:</u>						
Urn Garden Grave	\$438.00	\$468.66	\$382.00	\$408.74	\$340.00	\$363.80
<u>Columbarium:</u>						
Columbarium - Upper Level	\$1,481.00	\$1,584.67	\$824.00	\$881.68	\$721.00	\$771.47
Columbarium - Lower Level	\$1,121.00	\$1,199.47				
Monument Columbarium	\$1,111.00	\$1,188.77				
<u>Other:</u>						
Cremorial	\$1,085.00	\$1,160.95				
* Non-Resident - additional 25% on lots/graves						
15% - of Columbarium & Cremorial Sales goes into Care and Maintenance						

Cremation - Non Resident										
	Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery				Mount Zion, Grove, Mountview, Glanbrook & Garden Lane			All other Rural Church, Pioneer and Family Cemeteries		
		G.S.T.	TOTAL			G.S.T.	TOTAL		G.S.T.	TOTAL
Cremation Graves:										
Urn Garden Grave	\$548.00	\$38.36	\$586.36		\$478.00	\$33.46	\$511.46		\$425.00	\$454.75
Columbarium:										
Columbarium - Upper Level	\$1,851.00	\$129.57	\$1,980.57		\$1,030.00	\$72.10	\$1,102.10		\$901.00	\$964.07
Columbarium - Lower Level	\$1,401.00	\$98.07	\$1,499.07							
Monument Columbarium	\$1,389.00	\$97.23	\$1,486.23							
Other:										
Cremorial	\$1,356.00	\$94.92	\$1,450.92							

OPENING & CLOSING

Adult Burials:

6 ft. Adult	\$577.00	\$40.39	\$617.39
8 ft. Adult	\$770.00	\$53.90	\$823.90
Mausoleum	\$424.00	\$29.68	\$453.68

Children Burials:

6 ft. Child - Case up to 24"	\$82.00	\$5.74	\$87.74
- Case 25" - 42"	\$176.00	\$12.32	\$188.32
- Case 43" - 60"	\$256.00	\$17.92	\$273.92
- Case 61" - 72"	\$334.00	\$23.38	\$357.38

8 ft. Child - Case up to 60"	\$298.00	\$20.86	\$318.86
- Case 61" - 72"	\$450.00	\$31.50	\$481.50

Cremation Interments:

Urn Garden Graves	\$204.00	\$14.28	\$218.28
Columbarium	\$140.00	\$9.80	\$149.80
Cremorial	\$74.00	\$5.18	\$79.18

LOWERING (Includes Opening, Closing, Lowering & Closing)

<u>Adult:</u>				
From 6 ft. to 8 ft. - Shell	\$2,581.00	\$180.67	\$2,761.67	
From 6 ft. to 8 ft. - Vault or Crypt	\$2,151.00	\$150.57	\$2,301.57	
<u>Child:</u>				
From 6 ft. to 8 ft. - Shell	\$1,292.00	\$90.44	\$1,382.44	
From 6 ft. to 8 ft. - Vault or Crypt	\$1,075.00	\$75.25	\$1,150.25	

REMOVAL

<u>Adult:</u>				
Adult - Shell	\$2,304.00	\$161.28	\$2,465.28	
Adult - Concrete Vault or Crypt	\$1,882.00	\$131.74	\$2,013.74	
<u>Child:</u>				
Child - Shell	\$797.00	\$55.79	\$852.79	
Child - Concrete Vault or Crypt	\$651.00	\$45.57	\$696.57	
<u>Cremation:</u>				
	\$204.00	\$14.28	\$218.28	

ADDITIONAL SERVICES

<u>CRYPTS:</u>			G.S.T.	TOTAL
Youth	\$349.00		\$24.43	\$373.43
Social Services	\$340.00		\$23.80	\$363.80
Intermediate	\$374.00		\$26.18	\$400.18
Oversize	\$397.00		\$27.79	\$424.79
<u>FLOWER BEDS:</u>				
Supply, install & maintain flower bed - (per grave - to a maximum of three graves)	\$136.00		\$9.52	\$145.52
<u>Transfer of Lot Ownership:</u>				
	\$54.00		\$3.78	\$57.78
<u>Tent:</u>				
	\$185.00		\$12.95	\$197.95
<u>Family Tree Research:</u> (per name)	\$2.00		\$0.14	\$2.14

ARTICLES

Bronze Plaque for Cremorial	\$170.00	\$11.90	\$181.90
Bronze Plaque for Columbarium Niche	\$382.00	\$26.74	\$408.74
Companion Vase (plastic) on Niche	\$74.00	\$5.18	\$79.18
Memorial Tree Planting (12" x 10" stone; 6" x 8" Bronze Plaque, 3 Lines*)	\$485.00	\$33.95	\$518.95
Memorial Bench (8"x5" Bronze Plaque, 3 Lines)	\$898.00	\$62.86	\$960.86
Memorial Wreaths	\$56.00	\$3.92	\$59.92
Temporary Marker	\$48.00	\$3.36	\$51.36
Flower Pot Hanger	\$21.00	\$1.47	\$22.47
Installation Fee (plaques and/or vases)	\$79.00	\$5.53	\$84.53
Vases - Individually Priced			

Note: * An extra fee will be added to plaque charge for Special Lettering

Appendix B

[illegible]

CITY OF HAMILTON

BY-LAW NO. 01-292

To amend

By-law 01-149

Respecting:

CONSTITUTING A COMMITTEE OF ADJUSTMENT

And

THE APPOINTMENT OF ITS MEMBERS

WHEREAS By-law 01-149 creates a Committee of Adjustment and appoints its members;

AND WHEREAS the Committee of Adjustment is comprised of a Rural Section and an Urban Section, each with its specified jurisdictions;

AND WHEREAS it is desirable to alter the jurisdictions of these sections;

AND WHEREAS Map No. 1 of the former Regional Municipality of Hamilton-Wentworth's Official Plan, January 5, 1995, as amended, establishes an Urban Area Boundary, hereinafter, the "Urban Boundary";

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Section 4(2) of By-law 01-149 is hereby deleted and the following substituted therefor:

4(2) The Rural Section of the Committee shall meet once/month, or as required, and shall deal with those matters:

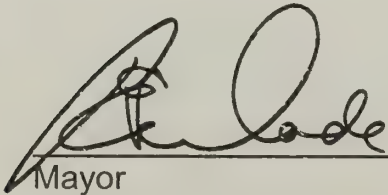
- (a) arising from Section 45 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, where the lands affected are outside the Urban Boundary; and
- (b) arising from a delegation of power under Section 54(5) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended.

2. Section 5(2) of By-law 01-149 is hereby deleted and the following substituted therefor:

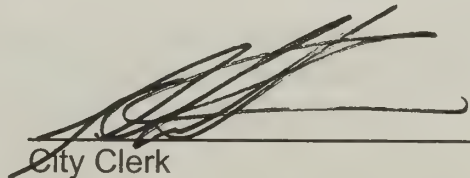
5(2) The Urban Section of the Committee shall meet three (3) times/month, or as required, and shall deal with those matters:

- (a) arising from Section 45 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, where the lands affected are within the Urban Boundary; and
 - (b) arising from a delegation of power under Section 54(5) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended.
3. This Amending By-law shall come into force on January 2, 2002.
4. All other sections of By-law 01-149 shall remain unchanged.

PASSED and enacted this 11th day of December, 2001.



Mayor



City Clerk

Authority:

Item 16, Committee of the Whole
Report 01-038 (TOE01197)
CM: December 11, 2001

Bill No. 293

City of Hamilton

BY-LAW NO. 01-293

To Amend:

By-law No. 89-72, as amended,
and By-law No. 01-215, as amended

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-laws No. 89-72 and By-law No. 01-215, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

"Kittyhawk Eastbound Upper Paradise"

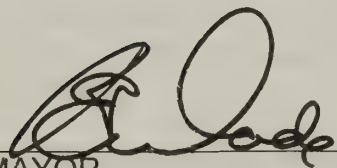
3. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "E" thereof the following item, namely:

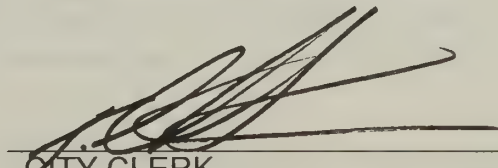
"Kittyhawk Eastbound Upper Paradise"

4. Subject to the amendments made in this By-law, in all other respects, By-laws No. 89-72 and 01-215, including all Schedules thereto, as amended, are hereby confirmed unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of December, A.D. 2001


MAYOR


CITY CLERK

Authority:

Item 17, Committee of the Whole
Report 01-038 (TOE01196)
CM: December 11, 2001

Bill No. 294

City of Hamilton

BY-LAW NO. 01-294

To Amend:

By-law No. 90-31-T, as amended,
and By-law No. 01-215, as amended

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the Town of Flamborough;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Town of Flamborough continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 18th day of April, 1990, the Council of the Corporation of the Town of Flamborough enacted By-law No. 90-31-T to regulate traffic on highways under its jurisdiction and control;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 90-31-T and By-law No. 01-215, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 31 (Stop Signs) of By-law No. 90-31-T, as amended, is hereby further amended by adding thereto the following items, namely:

"10th Conc. West	Eastbound	West	Lennon Road
Lennon Road West	Northbound	South	10th Concession
Lennon Road West"	Southbound	North	10th Concession

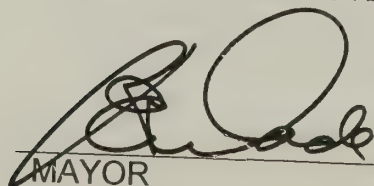
2. Schedule 5 (Stop Signs) of By-law No. 01-215 is hereby amended by adding to Section "C" thereof the following items, namely:

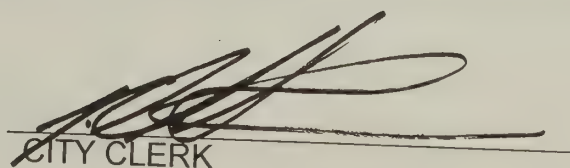
"10th Conc. West	Eastbound	Lennon Road
Lennon Road West	Northbound	10th Concession
Lennon Road West"	Southbound	10th Concession

3. Subject to the amendments made in this By-law, in all other respects, By-laws No. 90-31-T, and 01-215, including all Schedules thereto, as amended, are hereby confirmed unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of December, A.D. 2001


MAYOR


CITY CLERK

Authority:

Item 18, Committee of the Whole
Report 01-038 (TOE01194)
CM: December 11, 2001

Bill No. 295

THE CITY OF HAMILTON

BY-LAW NO. 01-295

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 33 ON PLAN 62M-750
INTO DONNICI DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Donnici Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Donnici Drive.

All of Block 33 on Plan 62M-750

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of December A.D., 2001

Mayor

City Clerk

Authority:

Item 51, Committee of the Whole
Report 01-038 (TOE01189)
CM: December 11, 2001

Bill No. 296

City of Hamilton

BY-LAW NO. 01-296

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Subsection "4" of Section "G" thereof the following items, namely:

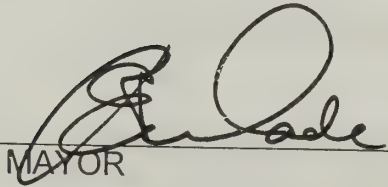
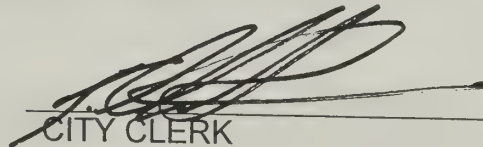
"Centre Road 60	61m north of Northlawn Avenue	46m north of Concession 5 East
Centre Road 80"	46m north of Concession 5 East	450m south of Concession 6 East

and by deleting therefrom the following item, namely:

"Centre Road 80"	61m north of Northlawn	450m south of Concession 6 East
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of December A.D, 2001


MAYOR
CITY CLERK

City of Hamilton

Bill No. 297

BY-LAW NO.

To Amend:

By-law No. 82-151

As Amended by By-law No.'s 87-317 and 98-14

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 82-151, on the 29th day of June, 1982, to designate the improvement area described in Schedule 'A' and shown on Schedule 'B' attached thereto, in accordance with subsection 217(1) of the Municipal Act, R.S.O. 1980, Chapter 302, now section 220(1) of the Municipal Act, R.S.O. 1990, Chapter M.45;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-317, on the 10th day of November, 1987, to expand the existing boundaries of the Business Improvement Area to add an area described in Schedule 'A1' and shown on Schedule 'B1' attached thereto, to the said improvement area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-014 on the 11th day of December, 1997, to expand the existing boundaries of the Business Improvement Area to add an area described in Schedule 'A' and shown in Schedule 'B' attached thereto, to the said improvement area;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 5 of Report 01-030 of the Committee of the Whole on the 2nd day of October, 2001, directed that the Downtown Hamilton Business Improvement Area boundaries be further expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the Notice of Intent to expand the existing boundaries of the Business Improvement Area has been sent to the Business Improvement Area membership and the owners of business property in the proposed expansion area;

AND WHEREAS the area which is the subject of this By-law is within the municipal area of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999, S.O. 1999, Chapter 14, Schedule C;

AND WHEREAS the City of Hamilton stands in the place of the former area municipality, The Corporation of the City of Hamilton, for all purposes;

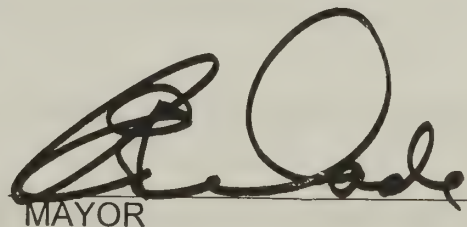
AND WHEREAS the City of Hamilton as the successor municipality, in respect of the said By-laws, is entitled to the benefit of all such By-laws and is entitled to amend such By-laws in accordance with the said provisions of the Municipal Act;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 82-151, as amended, is further amended by expanding the boundaries, as described in Schedule 'A', hereto annexed and as shown on Schedule 'B' hereto annexed, each forming part of this by-law.
2. Schedule 'A' and Schedule 'B' to By-law No. 82-151, Schedule 'A1' and Schedule 'B1' to By-law No. 87-317, and Schedule 'A' and Schedule 'B' to By-law No. 98-014 of the Corporation of the City of Hamilton are revoked.
3. In all other respects, By-law 82-151, as amended, is hereby confirmed unchanged.
4. This by-law comes into effect on the 1st day of January, 2002.

PASSED AND ENACTED this eleventh day of December A.D., 2001.


CITY CLERK


MAYOR

LAND DESCRIPTION

DOWNTOWN BUSINESS IMPROVEMENT AREA

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Province of Ontario and which said parcel may be more particularly described as follows:

Commencing at the intersection of the east limit of Hughson Street and the north limit of Jackson Street, being the south-west corner of the Court House Square as shown on Registered Plan 1431.

Thence northerly along the east limit of Hughson Street to a point of intersection of the easterly production of the south limit of Lot 37 as shown on Registered Plan 1431.

Thence westerly across Hughson Street and along the south limit of Lots 37, 38, 39 and 40 of Registered Plan 1431, being in the eastern limit of James Street.

Thence across James Street to the south-east corner of Lot 45 in the Peter Hamilton Survey.

Thence along the southerly boundary of Lots 45, 46, 47 and across an alleyway to the north-east corner of Lot 71 in the Peter Hamilton Survey.

Thence northerly from the north-east corner of Lot 71 and along the east limit of Lot 48 to the southerly limit of Main Street.

Thence westerly along Main Street to the intersection point of the southerly production of the eastern limit of MacNab Street.

Thence northerly along the eastern limit of MacNab Street in all its courses to the south limit of King Street.

Thence along the southerly limit of King Street to its intersection with the western limit of James Street.

Thence northerly along the west limit of James Street and all its courses to the intersection point of the north limit of Rebecca Street produced westerly.

Thence easterly across James Street to the south-west corner of Lot 49 in the Nathaniel Hughson Survey.

Thence easterly along the north limit of Rebecca Street to the south-west corner of Part 2 on Plan 62R-15305.

Thence northerly along the west limit of Parts 1 and 2 to the limit between Lots 56 and 57 in the Nathaniel Hughson Survey.

Thence easterly along the limit between Lots 56 and 57 being the north limit of Part 1 on Plan 62R-15305.

Thence southerly a distance of 24.683 meters to a bar planted in the limit between Lots 55 and 50 in the Nathaniel Hughson Survey.

Thence easterly along the limit between Lots 55 and 50 in the Nathaniel Hughson Survey to the west limit of Hughson Street.

Thence southerly along the west limit of Hughson Street to the south-east corner of Lot 50 in the Nathaniel Hughson Survey.

Thence easterly across Rebecca Street to the south-west corner of Lot 51 in the Nathaniel Hughson Survey.

Thence easterly along the north limit of Rebecca Street to a point in the south limit of Lot 51 being the south-east corner of PIN 17165-0051.

Thence northerly along the west limit of PIN 17165-0051 to the north west corner of said PIN.

Thence easterly along the limit of Lots 51 and 54 and continuing easterly along the limit between Lots 52 and 53 all in the Nathaniel Hughson Survey to a point in the west limit of John Street, as confirmed by Plan B.A.-744, being the north-east corner of Lot 52 in the Nathaniel Hughson Survey.

Thence easterly across John Street to the north-west corner of Part 1 on Plan 62R-11359.

Thence easterly along the north limit of Part 1 on Plan 62R-11359 in its various courses to the westerly limit of Catharine Street.

Thence easterly across Catharine Street on the easterly production of the line between Lots 2 and 3 in the Nathaniel Hughson Survey to the east limit of Catharine Street.

Thence southerly along the east limit of Catharine Street to the south-west corner of PIN 17165-0104, being the north-west corner of Part 2 on Plan 62R-6843.

Thence easterly along the north limit of Parts 1 and 2 on Plan 62R-6843 to a point in the east limit of Lot 2 in the Nathaniel Hughson Survey.

Thence southerly along the east limit of Lot 1 and 2 in the Nathaniel Hughson Survey and the production southerly to a point in the south limit of Rebecca Street being the north-east corner of Lot 13 in the Nathaniel Hughson Survey.

Thence westerly along the south limit of Rebecca Street and south-westerly as widened by Instrument 79197CD to a point in the west limit of Lot 14 in the Nathaniel Hughson Survey being in the east limit of Catharine Street.

Thence southerly along the east limit of Catharine Street to the south-west corner of Lot 14 in the Nathaniel Hughson Survey being the north-west corner of Part 1 on 62R-10823.

Thence easterly along the south limit of Lot 14 in the Nathaniel Hughson Survey being the north limit of Part 1 on Plan 62R-10823 to a point being in the south-east corner of Lot 14.

Thence southerly along the east limit of Lots 11, 6 and 3 in the Nathaniel Hughson Survey being the east limit of Part 1 on Plan 62R-10823, and continuing southerly on the production of the aforementioned line to the south limit of King William Street.

Thence easterly along the south limit of King William Street to the west limit of Mary Street.

Thence southerly along Mary Street to the intersection of the north limit of King Street as confirmed by B.A.-784.

Thence southerly across King Street to the south limit of King Street being the north-west corner of Part 1 on Plan 62R-9733.

Thence southerly along the east limit of PINS 17168-0022 and 17168-0026 to the north limit of Main Street as confirmed by Plan BA-783.

Thence southerly across Main Street to the south limit of Main Street being the north-east corner of Part 1 on Plan 62R-15264, being the south-east corner of Part 1, Plan 62R-15264.

Thence southerly along the east limit of Part 1 on Plan 62R-15264 to a point in the north limit of a lane way.

Thence westerly along the south limit of Part 1 on Plan 62R-15264 to a point in the east limit of Catharine Street, said point being the south-west corner of Lot 36 on Registered Plan 1431.

Thence westerly on a production of the above-mentioned line to a point in the west limit of Catharine Street.

Thence southerly along the west limit of Catharine Street to a point in said limit being the north-east corner of Part 3 on Plan 62R-3916.

Thence westerly along the north limit of Part 3 to a point in the east limit of Bowen Street.

Thence northerly along the east limit of Bowen Street to a point intersected by the easterly production of the line between PINS 17170-0052 and 17170-0051.

Thence westerly crossing Bowen Street and along the limit between PINS 17170-0052 and 17170-0051 to a point in the east limit of John Street as confirmed by Plan B.A.-774.

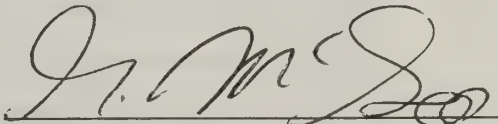
Thence westerly on the production of the above-mentioned line to a point in the east limit of the Court House Square on Registered Plan 1431.

Thence southerly along the west limit of John Street as confirmed by Plan B.A.-774 to the north limit of Jackson Street.

Thence westerly along the north limit of Jackson Street to the point of commencement.

City of Hamilton

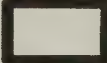
November 29, 2001


Gord McGuire, Ontario Land Surveyor

Note:

1. The PINS quoted here are correct as at this date.
2. These PINS are subject to change by the Land Registry Office.
3. We therefore suggest that your office make the necessary changes, according to the result of your sub-search, prior to any transaction.



Site of the Application 		City of Hamilton	
Planning and Development Department Location Map			
Legend  Downtown Hamilton Business Improvement Area		Reference File No. _____ Scale Not To Scale December 3rd, 2001 Drawn By P.T. APPENDIX "A"	

City of Hamilton

Bill No. 298

BY-LAW NO 01-298

To Amend:
By-law No. 76-19
As Amended by By-law No.'s 86-211 and 93-260

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law 76-19 on the 27th day of January, 1976, to designate and describe the improvement area referred to therein as "The area comprised on both sides of King Street East, between Wellington Street and Mary Street";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-211 on the 25th day of June, 1986, to add 16 Jarvis Street to the improvement area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-260 on the 14th day of December, 1993, to expand the existing boundaries of the Business Improvement Area to add an area described in Schedule 'A' and shown in Schedule 'B' attached thereto, to the said improvement area;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 01-030 of the Committee of the Whole on the 2nd day of October, 2001, directed that the International Village Business Improvement Area boundaries be further expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the Notice of Intent to expand the existing boundaries of the Business Improvement Area has been sent to the Business Improvement Area membership and the owners of business property in the proposed expansion area;

AND WHEREAS the area which is the subject of this By-law was, as of January 1st, 2001 – placed within the municipal area of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999, S.O. 1999, Chapter 14, Schedule C;

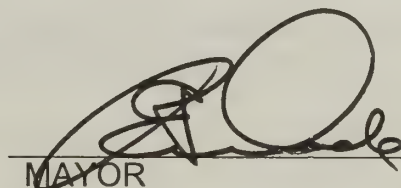
AND WHEREAS the City of Hamilton stands in the place of the former area municipality, The Corporation of the City of Hamilton, for all purposes;

AND WHEREAS the City of Hamilton as the successor municipality, in respect of the said By-laws, is entitled to the benefit of all such By-laws and is entitled to amend such By-laws in accordance with the said provisions of the Municipal Act;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 76-19, as amended, is further amended by expanding the boundaries, as described in Schedule 'A', hereto annexed and as shown on Schedule 'B' hereto annexed, each forming part of this by-law.
2. Schedule 'A' and Schedule 'B' to By-law No. 93-260 of the Corporation of the City of Hamilton are revoked.
3. In all other respects, By-law 76-19, as amended, is hereby confirmed unchanged.
4. This by-laws comes into effect on the 1st day of January, 2002.

PASSED AND ENACTED this eleventh day of December A.D., 2001.


CITY CLERK
MAYOR

LAND DESCRIPTION

INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Province of Ontario and which said parcel may be more particularly described as follows:

Commencing at a point in the east limit of Wellington Street as confirmed by Plan B.A.-986 where it intersects the north limit of Main Street as confirmed by Plan B.A.-783.

Thence southerly to the south limit of Main Street being the north-west corner of Lot 20 Registered Plan 223.

Thence southerly along the east limit of Wellington Street to the south-west corner of Lot 20 Registered Plan 223.

Thence westerly on the production of the rear limit of Lots 16 through 20 on Registered Plan 223 to a point in the west limit of Wellington Street.

Thence southerly along the west limit of Wellington Street to the intersection of the north limit of Jackson Street being the south-east corner of Lot 16 Registered Plan 48.

Thence westerly along the north limit of Jackson Street to the south-west corner of Lot 15, north of Jackson Street on Registered Plan 48.

Thence northerly along the line between Lots 14 and 15, north of Jackson Street, on Registered Plan 48, to a point being the north-east corner of Lot 1 Registered Plan 48.

Thence westerly along the north limit of Lot 1 Registered Plan 48 to a point in the east limit of Spring Street.

Thence southerly along the east limit of Spring Street to a point being the south-west corner of Lot 1 Registered Plan 48.

Thence westerly across Spring Street to a point being the south-east corner of Lot 12 Registered Plan 48, south of Main Street.

Thence westerly along the rear limit of Lots 12, 11, 10, 9, 8, 7, 6, 5 and 4 of Registered Plan 48, south of Main Street, to a point in the east limit of Walnut Street.

Thence westerly across Walnut Street to a point being the south-east angle of Lot 3 Registered Plan 48, south of Main Street.

Thence southerly along the west limit of Walnut Street to a point in the east limit of Lot 3 Registered Plan 48, north of Jackson Street, being the south-east corner of PIN 17170-0153.

Thence westerly along the southerly limit of PIN 17170-0153, being the south-west corner of the said PIN.

Thence northerly to a point in the south limit of a 12 foot alley as laid out by Registered Plan 48 being the north-west corner of PIN 17170-0153.

Thence westerly along the south limit of the alley to a point being the north-east corner of PIN 17170-0193.

Thence southerly along the east limit of PIN 17170-0193 to a point in the north limit of Jackson Street.

Thence westerly along the north limit of Jackson Street to a point in the south limit of Lot 2 Registered Plan 48 being the south-west corner of Part 2 on Plan 62R-15720.

Thence northerly along the west limit of Part 2 of Plan 62R-15720 to the south limit of the 12 foot alley.

Thence westerly along the south limit of the 12 foot alley to a point in the north limit of Lot 48 on Registered Plan 48, being the southerly production of the westerly limit of Part 1 on Plan 62R-14985.

Thence northerly along the west limit of Part 1 of Plan 62R-14985 to the south limit of Main Street as confirmed by Plan B.A.-783.

Thence northerly to the north side of Main Street to the east limit of a public lane not shown on Registered Plan 1431, being the south-east corner of PIN 17168-0026.

Thence northerly along the east limit of PIN 17168-0026.

Thence easterly along the north limit of Lot 32 in Registered Plan 1431 to a point in the west limit of Lot 8 Registered Plan 73.

Thence northerly along the east limit of PIN 17168-0026 and PIN 17168-0023 to the south limit of King Street as confirmed by Plan B.A.-784.

Thence northerly to the north limit of King Street where it intersects the east limit of Mary Street.

Thence northerly along the east limit of Mary Street to a point in the south limit of King William Street.

Thence easterly along the south limit of King William Street to a point where it is intersected by the southerly production of the east limit of PIN 171768-0061.

Thence northerly along the east limit of PIN 171768-0061 to the south-west corner of Lot 39 in Registered Plan 36.

Thence easterly along the south limit of Lots 39 and 40 to the south-east corner of Lot 40 in Registered Plan 36.

Thence northerly along the east limit of Lot 40 to the south limit of Rebecca Street.

Thence easterly along the south limit of Rebecca Street to the north-east corner of Lot 45 in Registered Plan 36.

Thence southerly to the south-west corner of Lot 46 in Registered Plan 36.

Thence easterly along the south limit of Lots 46, 47, 48, 49 and 50 in Registered Plan 36 to a point being in the west limit of Ferguson Avenue.

Thence southerly along the west limit of Ferguson Avenue to a point in the north limit of King William Street.

Thence easterly along the north limit of King William Street to a point being the south-west corner of Lot 30 on Registered Plan 36.

Thence northerly along the west limit of Lot 30 and Lot 51 to the north-west corner of Lot 51 being in the south limit of Rebecca Street.

Thence easterly along the south limit of Rebecca Street to a point being the north-east corner of Lot 53 in Registered Plan 36.

Thence southerly along the east limit of Lot 53 in Registered Plan 36 to the south-east corner of Lot 53.

Thence easterly along the south limits of Lots 54, 55, 56 and 57 to the south-east corner of Lot 57 in Registered Plan 36.

Thence southerly along the west limit of Lot 23 in Registered Plan 36 to the north-west corner of PIN 17168-0130.

Thence easterly along the north limit of PIN 17168-0130 to the west limit of Lot 22 being the north-east corner of PIN 17168-0130.

Thence northerly along the west limit of Lot 22 to the north-west corner of Lot 22 in Registered Plan 36.

Thence easterly along the northerly limit of Lot 22 and Lot 21 to the north-east corner of Lot 21 in Registered Plan 36.

Thence southerly along the east limit of Lot 21 to a point being the north-west corner of PIN 17168-0136.

Thence easterly along the north limit of PIN 17168-0136 to a point on Wellington Street as confirmed by Plan B.A.-986.

Thence easterly on the production of the north limit of PIN 17168-0136 to a point in the east limit of Wellington Street.

Thence northerly on the east limit of Wellington Street to a point being the north-west corner of PIN 17178-0010.

Thence easterly along the north limit of PIN 17178-0010 to the north-east corner of PIN 17178-0010.

Thence southerly along the east limit of Lot 27, Registered Plan 223 to a point being the being the easterly production of the south limit of PIN 17178-0019.

Thence easterly to the north-west corner of PIN 17178-0018.

Thence easterly along the northerly limit of PIN 17178-0018 to a point in the west limit of West Avenue.

Thence southerly along the west limit of West Avenue and its various windings to a point in the south limit of King Street as confirmed by Plan B.A.-784, to the north-west corner of PIN 17178-0151.

Thence easterly along the south limit of King Street to a point being the north-east corner of PIN 17178-0154.

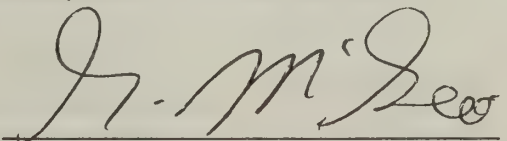
Thence southerly along the east limit in its various windings of PIN 17178-0154 to a point in the south limit of Lot 5 in Registered Plan 1484.

Thence westerly along the southerly limits of PINS 17178-0154 and 17178-0151 to the south-west corner of PIN 17178-0151.

Thence southerly on the east limit of PIN 17178-0152 to the north limit of Main Street as confirmed by Plan B.A.-783.

Thence westerly along the north limit of Main Street to the place of commencement.

City of Hamilton
November 28, 2001


Gord McGuire, Ontario Land Surveyor

Note:

1. The PINS quoted here are correct as at this date.
2. These PINS are subject to change by the Land Registry Office.
3. We therefore suggest that your office make the necessary changes, according to the result of your sub-search, prior to any transaction.



Site of the Application City of Hamilton	Planning and Development Department Location Map	
	Legend International Village Business Improvement Area	Reference File No.
		Scale Not To Scale
		Dec 3rd. 2001
		Drawn By P.T. APPENDIX "A"

City of Hamilton

Bill No. 299

BY-LAW NO. 01-299

To Amend:
By-law No. 83-308

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law 83-308 on the 30th day of November 1983, to designate the improvement area described in Schedule 'A' and shown on Schedule 'B' attached thereto, in accordance with subsection 217(1) of the Municipal Act, R.S.O. 1980, Chapter 302, now section 220(1) of the Municipal Act, R.S.O. 1990, Chapter M.45;

AND WHEREAS the Council of the City of Hamilton in adopting Item 10 of Report 01-030 of the Committee of the Whole on the 2nd day of October, 2001, directed that the Concession Street Business Improvement Area boundaries be expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the Notice of Intent to expand the existing boundaries of the Business Improvement Area has been sent to the Business Improvement Area membership and the owners of business property in the proposed expansion area;

AND WHEREAS the area which is the subject of this By-law is within the municipal area of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999, S.O. 1999, Chapter 14, Schedule C;

AND WHEREAS the City of Hamilton stands in the place of the former area municipality, The Corporation of the City of Hamilton, for all purposes;

AND WHEREAS the City of Hamilton as the successor municipality, in respect of the said By-laws, is entitled to the benefit of all such By-laws and is entitled to amend such By-laws in accordance with the said provisions of the Municipal Act;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

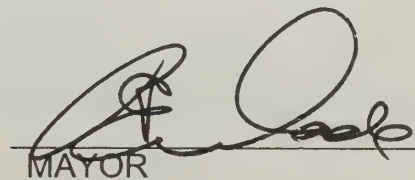
1. By-law No. 83-308 is amended by expanding the boundaries, as described in Schedule 'A', hereto annexed and as shown on Schedule 'B' hereto annexed, each forming part of this by-law.

2. Schedule 'A' and Schedule 'B' to By-law No. 83-308 of the Corporation of the City of Hamilton are revoked.
3. In all other aspects, By-law 83-308 is hereby confirmed unchanged.
4. This by-law comes into effect on the 1st day of January, 2002. •

PASSED AND ENACTED this eleventh day of December A.D., 2001.



CITY CLERK



MAYOR

Schedule "A"

LAND DESCRIPTION

CONCESSION STREET BUSINESS IMPROVEMENT AREA

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Province of Ontario and which said parcel may be more particularly described as follows:

Commencing at the north-east corner of Lot 17 Registered Plan 771.

Thence southerly along the east limit of Lot 17 Registered Plan 771 to the south-east corner of PIN 17049-0132.

Thence easterly along the south limit of PIN 17049-0132 to the centre of the road allowance between Lots 12 and 13 in Concession 4 in the Geographic Township of Barton.

Thence southerly along the said centre line of road to a point of intersection with the westerly production of the south limit of Lots 1, 2, 25 and 26 on Registered Plan 517.

Thence easterly along the said south limits of Lots 1, 2, 25 and 26 on Registered Plan 517, continuing across East 11th Street and along the south limits of Lots 27, 28 and 40 on Registered Plan 517, to a point at the north-east corner of the alley as established by Registered Plan 515.

Thence southerly along the east limit of said alley to the south-west corner of PIN 17049-0028.

Thence easterly along the south limit of PIN 17049-0028 and its easterly production to the centre of the road being Salem Avenue.

Thence northerly along said centre line of Salem Avenue to a point as intersected by the westerly production of the south limit of Lots 64 and 65 on Registered Plan 515.

Thence easterly along the south limit of Lots 64 and 65 Registered Plan 515 to the south-east corner of Lot 65.

Thence northerly to the north-west corner of PIN 17049-0078.

Thence easterly along the north limit of PIN 17049-0078 to a point in the west limit of East 12th Street.

Thence easterly across East 12th Street to a point being the north-west corner of PIN 17049-0131.

Thence easterly across the north limit of PIN 17049-0131 and its easterly production to a point being the south-west corner of PIN 17049-0154.

Thence easterly along the southerly limits of PIN 17049-0154 and PIN 17049-0155 to a point in the centre of East 13th Street.

Thence southerly along said centre line to a point at the intersection of the westerly production of the south limit of PIN 17051-0002.

Thence easterly to the south-west corner of PIN 17051-0002.

Thence southerly along the east limit of East 13th Street to a point being the north-west corner of PIN 17051-0004.

Thence easterly along the north limits of PINS 17051-0004, 17051-0008, 17051-0009, 17051-0010, 17051-0026 and 17051-0012 to a point in the west limit of East 15th Street being the north-east corner of Lot 200 on Registered Plan 517.

Thence easterly on the eastern production of the north limit of Lot 200 on Registered Plan 517, to a point in the centre of East 15th Street.

Thence northerly along said centre line to a point of intersection with the westerly production of the south limits of Lots 227 and 228 on Registered Plan 291.

Thence easterly along the south limit of Lots 227 and 228 Registered Plan 291 to a point being the south-east corner of Lot 228 on Registered Plan 291.

Thence easterly to a point being the north-west corner of Lot 1 on Registered Plan 656.

Thence easterly along the north limit of Lot 1, Registered Plan 656 and its eastern production to a point in the east limit of East 16th Street.

Thence southerly along the east limit of East 16th Street to a point being the north-west corner of Lot 42 on Registered Plan 656.

Thence easterly along the north limit of Lot 42 on Registered Plan 656 to the north-east corner of said lot.

Thence northerly along the west limit of an alley as laid out and following the east limits of Lot 43 and 44 on Registered Plan 656 to a point in the south limit of Lot 57 in Registered Plan 637.

Thence easterly along the south limit of Lots 57, 56, 55, 54 and 53 to a point in the west limit of Mountville Avenue.

Thence easterly to a point in the west limit of Mountville Avenue on the production of the above-mentioned line and easterly to a point in the east limit of PIN 17053-0001.

Thence southerly along the east limit of PIN 17053-0001 to the south-east corner of said PIN.

Thence easterly on the north limit of PIN 17053-0005 and its easterly production to the west limit of PIN 17053-0021 being in the west limit of Lot 4 on Registered Plan 637.

Thence northerly along the west limit of Lots 3 and 4 in Registered Plan 637 to the north-west corner of Lot 3.

Thence easterly along the south limit of Lots 2 and 1 in Registered Plan 291 and its easterly production to the centre line of East 18th Street.

Thence northerly along the previously mentioned centre line to a point in the south limit of Concession Street, being the road allowance between Concessions 3 and 4 in the Geographic Township of Barton.

Thence easterly along the south limit of Concession Street to a point in the west limit of East 19th Street.

Thence southerly along the west limit of East 19th Street to a point being the intersection of the easterly production of Lots 15 through 20 on Registered Plan 372.

Thence easterly along the aforementioned southerly limit to the south-east corner of Lot 15 on Registered Plan 372.

Thence easterly across Upper Wentworth Street to a point being the north-west corner of PIN 17054-0003.

Thence easterly along the north limit of PIN 17054-0003 to the east limit of Lot 6 on Registered Plan 474.

Thence northerly along the east limit of Lots 6 and 5 to a point being the north-east corner of PIN 17054-0343.

Thence easterly along the south limit of Lots 66 through 72 and Lots 133 through 140 in Registered Plan 474, following the south limits of Lots 4, 3, 2 and 1 on Registered Plan 412.

Thence easterly along the south limit of Lots 41 through 48 in Registered Plan 412 and continuing easterly along the south limit of Lots 85, 86 and 87 in Registered Plan 412 to a point being the south-east corner of Lot 87 in Registered Plan 412.

Thence northerly along the east limit of Lot 87 in Registered Plan 412 to a point in the south limit of Concession Street.

Thence easterly along the south limit of Concession Street to a point being the north-west corner of PIN 17057-0211.

Thence southerly along the west limit of PIN 17057-0211 to the south-west corner of said PIN.

Thence easterly along the south limit of PIN 17057-0211 to a point in the west limit of Lot 3 on Registered Plan 700.

Thence southerly to the south-west corner of Lot 3 on Registered Plan 700. •

Thence easterly and following the south limit of Lots 3, 2, 1, 18, 19, 20, 21 and 22 to a point in the west limit of East 26th Street.

Thence easterly across East 26th Street to a point being the north-west corner of PIN 17057-0002.

Thence easterly following the north limit of PIN 17057-0002 to a point being the north-east corner of said PIN.

Thence southerly along the west limit of PIN 17057-0132 to its south-west corner.

Thence easterly along the south limit of PIN 17057-0132 and its easterly production to the centre of East 27th Street.

Thence northerly along said centre line to a point being the westerly production of the north limit of PIN 17057-0134.

Thence easterly along said north limit to the north-east corner of PIN 17057-0134.

Thence southerly along the west limit of PIN 17057-0154 to the south-west corner of said PIN.

Thence easterly along the south limit of PIN 17057-0154 and 17057-0155 to the south-east corner of PIN 17057-0155.

Thence northerly along the west limit of PIN 17057-0163 to PIN 17057-0158 inclusive, said point being the north-west corner of PIN 17057-0158.

Thence easterly along the north limit of PIN 17057-0158 to the north-east corner of said PIN.

Thence easterly across Upper Sherman Avenue to the north-west corner of PIN 17061-0409.

Thence easterly along the north limit of PIN 17061-0409 to the north-east corner of said PIN.

Thence easterly across East 31st Street to a point being the north-west corner of PIN 17061-0256.

Thence easterly along the north limit of PIN 17061-0256 to the north-east corner of said PIN.

Thence northerly along the east limit of PIN 17061-0257 to the south-west corner of Lot 1 on Registered Plan 479.

Thence easterly following the south limit of Lots 1, 2, 3, 4, 5 and 6 on Registered Plan 479 to a point being the south-east corner of Lot 6.

Thence southerly along the east limit of Lots 34, 33 and 32 on Registered Plan 479, said point being at south-east corner of Lot 32.

Thence easterly along the north limit of Lot 54 on Registered Plan 479 and its easterly production to the centre line of East 33rd Street.

Thence northerly along said centre line to the easterly production of the south limit of Lots 1, 2, 3 and 4 on Registered Plan 536.

Thence easterly along above-mentioned south limit to a point being the north-east corner of Lot 5 on Registered Plan 536.

Thence southerly along the east limit of Lots 5, 6 and 7 on Registered Plan 536 to a point being the north-west corner of Lot 17 on Registered Plan 860.

Thence easterly along the north limit of PIN 17061-0076 and its various windings to a production point in the centre line of East 34th Street.

Thence northerly to a point being the westerly production of the north limit of PIN 17061-0091.

Thence easterly along above-mentioned north limit to a point in the west limit of Plan WCC-115.

Thence southerly along the above-mentioned west limit to the south-west corner of Plan WCC-115.

Thence easterly along the south limit and its easterly production of Plan WCC-115 to a point in the centre line of East 35th Street.

Thence northerly along the above-mentioned centre line to a point being the westerly production of the north limit of PIN 17061-0118.

Thence easterly along the above-mentioned north limit to a point in the west limit of Lot 10 on Registered Plan 296.

Thence southerly to the south-west corner of Lot 10 on Registered Plan 296.

Thence easterly along the south limit of Lots 10 and 9 on Registered Plan 296, to a point in the west limit of Lot 1 on Registered Plan 530.

Thence southerly to the south-west corner of Lot 1 on Registered Plan 530.

Thence easterly along the south limit of Lots 1, 2, 3, 48, 49, 50, 51, 52 and 53 to a point being the south-east corner of Lot 53 on Registered Plan 530.

Thence easterly across East 38th Street to a point being the south-west corner of PIN 17062-0082.

Thence easterly along the south limit of PINS 17062-0082, 17062-0083, 17062-0084 and its easterly production to a point in the centre of East 39th Street.

Thence northerly along said centre line across Concession Street to a point in the north limit of Concession Street.

Thence westerly along the north limit of Concession Street to point being the south-east corner of Part 1 on Plan 62R-9847.

Thence northerly along the east limit of Part 1 on Plan 62R-9847 to the north-east corner of said part.

Thence westerly along the north limit of Part 1 on Plan 62R-9847 and its westerly production to the west limit of East 37th Street.

Thence southerly along the west limit of East 37th Street to a point being the north-east corner of Lot 5 on Registered Plan 610.

Thence westerly along south limit of Lots 4, 10, 19 and 25 on Registered Plan 610 to the south-west corner of Lot 25 on Registered Plan 610.

Thence westerly across East 35th Street to a point being the north-east corner of PIN 17114-0058.

Thence westerly along the north limit of said PIN to the north-west corner of said PIN.

Thence northerly along the east limit of PIN 17114-0020 to the north-east corner of PIN 17114-0020.

Thence westerly along the north limit of above-mentioned PIN to a point in the east limit of Ben Lomond Place.

Thence northerly along the east limit of Ben Lomond Place to the north-west corner of PIN 17114-0016.

Thence westerly along the north limit of Ben Lomond Place to a point in the east limit of PIN 17114-0013.

Thence southerly to a point being the north-east corner of PIN 17114-0012.

Thence westerly and northerly along the limit of PIN 17114-0012 to a point in the south limit of Mountain Park Avenue.

Thence westerly along the south limit of Mountain Park Avenue to a point being the north-east corner of PIN 17114-0001.

Thence southerly along the east limit of PINS 17114-0001 to 17114-0008 inclusive to a point being the south-east corner of PIN 17114-0008.

Thence westerly along the southerly limit of PIN 17114-0008 and its westerly production to a point in the west limit of Upper Sherman Avenue.

Thence northerly and following the limit of PIN 17115-0345 to a point in the south limit of Mountain Park Avenue.

Thence westerly along the south limit of Mountain Park Avenue to its intersection with the east limit of Poplar Avenue.

Thence southerly along the east limit of Poplar Avenue to a point being the north-west corner of Lot 62 on Registered Plan 361.

Thence westerly across Poplar Avenue and along the north limit of Lots 44, 43, 42, 41 and 40 on Registered Plan 361 and its westerly production to the centre line of Viewpoint Avenue.

Thence southerly along said centre line to a point being the intersection of the easterly production of the north limit of PIN 17115-0326.

Thence westerly along the above-mentioned north limit to the north-west corner of PIN 17115-0326.

Thence northerly to the north-east corner of PIN 17115-0325.

Thence westerly following the north limit of PINS 17115-0325 and 17115-0323 to a point in the east limit of Hamilton Avenue.

Thence westerly across Hamilton Avenue to the north-east corner of Lot 81 on Registered Plan 388.

Thence westerly along the north limits of PINS 17115-0297, 17115-0296 and 17115-0295 to a point in the east limit of Cliff Avenue.

Thence westerly across Cliff Avenue to a point being the north-east corner of PIN 17115-0272.

Thence westerly along the north limit of PINS 17115-0272, 17115-0271, 17115-0270 and its easterly production to a point in the centre line of Summit Avenue.

Thence westerly to a point being the north-east corner of PIN 17115-0266.

Thence westerly and northerly following the north limit of PINS 17115-0266 and 17115-0264 to a point being the north-east corner of Lot 67 on Registered Plan 361.

Thence southerly along the east limit of PIN 17115-0256 to its south-east corner.

Thence westerly along the south limit of PIN 17115-0256 and its westerly production to a point in the west limit of Upper Wentworth Street.

Thence northerly along the west limit of Upper Wentworth Street to the intersection with the south limit of Alpine Avenue.

Thence westerly along the south limit of Alpine Avenue to a point being the north-west corner of PIN 17115-0187.

Thence southerly along the west limit of said PIN to a point in the south limit in Lot 14 on Registered Plan 11.

Thence westerly along the south limit of Lots 14 through 22 inclusive on Registered Plan 11 to a point in the east limit of Lot 54 on Registered Plan 384.

Thence southerly along said east limit to a point being the south-east corner of Lot 54 on Registered Plan 384.

Thence westerly along the south limit of Lots 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, all in Registered Plan 384 and Lots 79, 78, 77, 76, 75 and 74 in Registered Plan 559, said point being the south-west corner of Lot 74 on Registered Plan 559.

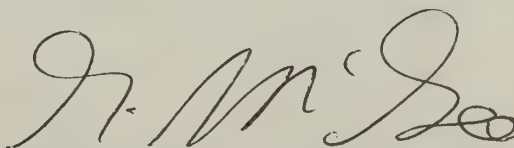
Thence southerly along the west limit of Lot 73 on Registered Plan 559 to a point in the north limit of Concession Street.

Thence westerly along the north limit of Concession Street to a point being the northerly production of the west limit of Lot 17 on Registered Plan 771.

Thence southerly along the said limit to the point of commencement.

City of Hamilton

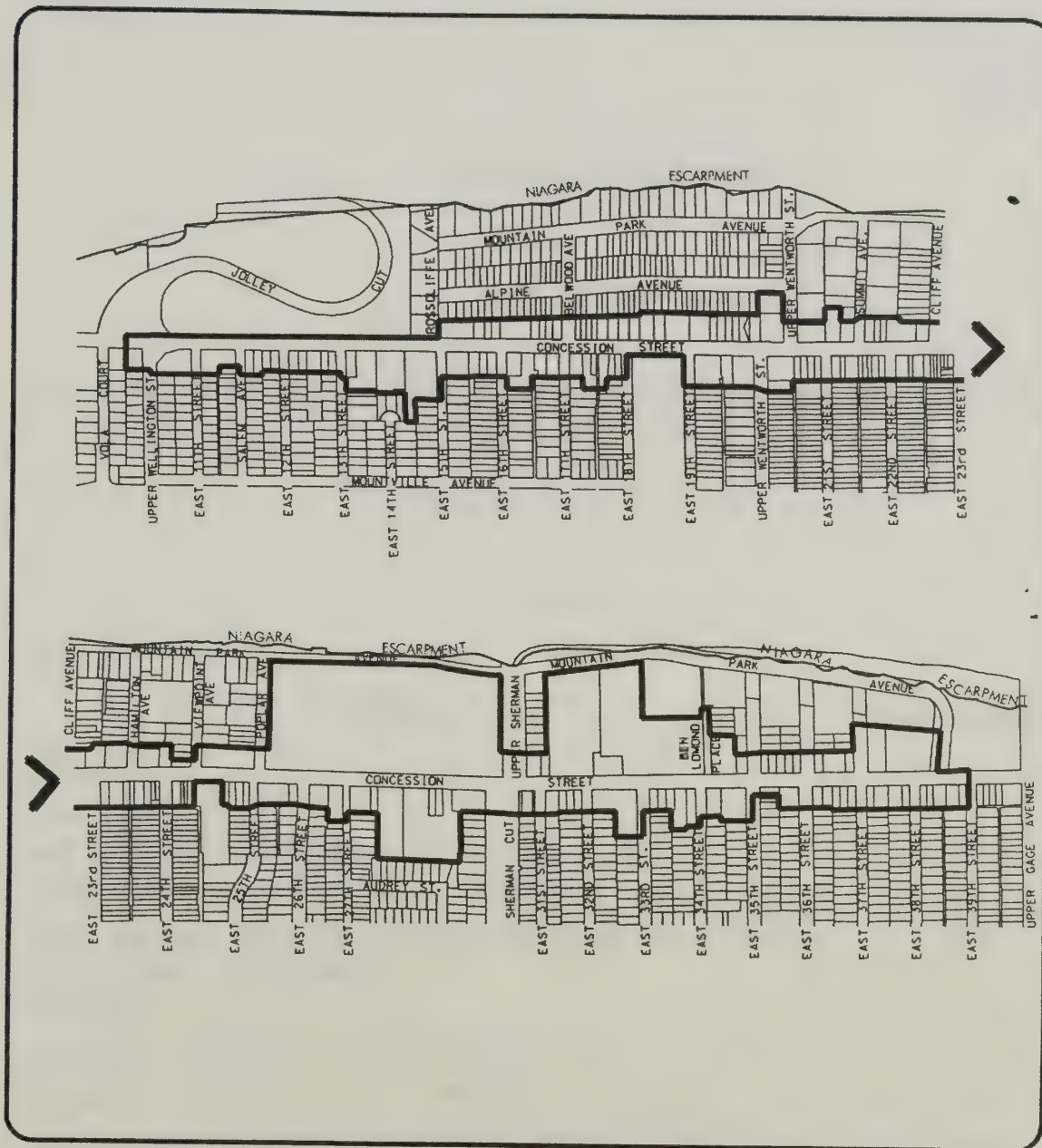
November 29, 2001



Gord McGuire, Ontario Land Surveyor

Note:

1. The PINS quoted here are correct as at this date.
2. These PINS are subject to change by the Land Registry Office.
3. We therefore suggest that your office make the necessary changes, according to the result of your sub-search, prior to any transaction.



Site of the Application

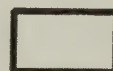
City of Hamilton



Planning and Development Department

Location Map

Legend



Concession Street Business
Improvement Area

Reference File No.

Scale
Not To Scale

December
3rd, 2001

Drawn By
P.T.

APPENDIX "A"

CITY OF HAMILTON

BY-LAW NO. 01-300

**BEING A BY-LAW TO ADOPT RULES FOR PROCEDURES OF COUNCIL AND
COMMITTEES THEREOF**

(PROCEDURAL BY-LAW)

INDEX

TOPIC	PAGE NUMBER
Application	3
By-law / Bills	15
Code of Conduct for Members of Council	20
Conduct of Members – Order and Decorum	8
Criteria for the Creation of Special Committees / Task Forces or Advisory Committees	23
Definitions	1
Delegations – Hearings Sub-Committee	7
Delegations – City Council / Committee of the Whole	8
Establishment of Special Committees / Tasks Forces or Advisory Committees	8
General	16
Hearings Sub-Committee	6
Inaugural Meeting of Council	3
Order of Business	9
Proceedings of Committee of the Whole	5
Regular and Special Meetings of Council and Committee of the Whole	4
Role of Clerk	15
Roles of Council, Mayor and Committee Chair	18
Rules of Debate in Council Meetings	10
Voting Procedures	12

CITY OF HAMILTON

BY-LAW NO.

BEING A BY-LAW TO ADOPT RULES FOR PROCEDURES OF COUNCIL AND COMMITTEES THEREOF

WHEREAS section 55, of the Ontario Municipal Act, R.S.O. 1990, c. M.45, as amended, requires Councils to adopt, by by-law, procedures governing the calling, place, and proceedings of meetings;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

SECTION 1 - DEFINITIONS

1.1 In this By-law,

- (a) **Act** means the Municipal Act;
- (b) **amendment** means to alter or vary the terms of the main motion without materially changing its purpose;
- (c) **bill** means a proposed form of By-law;
- (d) **by-law** means a by-law in a form approved by the Council prepared or passed for the purposes of giving general effect to a previous decision or proceedings of the Council;
- (e) **Chair** means the Member of Council presiding at any meeting of Council or Committee;
- (f) **Clerk** means the Clerk of the City of Hamilton;
- (g) **Committee of the Whole** means all members of the Council of the City of Hamilton present, sitting in Committee of the Whole;
- (h) **Corporate Management Team** means the City Manager, General Managers and Executive Directors appointed by Council;
- (i) **Council** means the Council of the City of Hamilton;

- (j) **Deputy Mayor** means a Member who is appointed from amongst Council on a scheduled basis to assist the Mayor, and to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City or is absent through illness, or the office of the Mayor is vacant, and while acting, such Member has, and may exercise, all the rights, powers and authority of the Mayor;
- (k) **Hearings Sub-Committee** means a Committee consisting of all members of Council created to deal with planning and development matters, other matters for which a public meeting or hearing is legislated or any other matter for which delegation status has been requested and subsequently approved by Committee of the Whole;
- (l) **Inaugural Meeting** means the first meeting of the Council after a regular election;
- (m) **in Camera** means the conduct of a meeting, or part of a meeting, of Council or a Committee of Council, which is closed to the public as permitted by the Act;
- (n) **legislated** means as required by an Act of the Legislative Assembly of the Province of Ontario, and includes as required by a regulation made under any such Act;
- (o) **majority** for the purposes of voting, means more than half the total of Members present and not prohibited by statute from voting;
- (p) **Mayor** means the Head of the Council of the City of Hamilton;
- (q) **meeting** means any regular or special meeting of Council or Committee of Council, and includes a Sub-Committee established by resolution of Council;
- (r) **Member** means a Member of Council, including the Mayor;
- (s) **motion** means a subject being presented for the consideration of Council and duly seconded;
- (t) **non-legislated** for the purposes of hearing delegations, means not required by an Act of the Legislative Assembly of the Province of Ontario;
- (u) **notice of motion** means a motion received by the Clerk in writing, moved by a Member for inclusion on an agenda of a meeting of Council;
- (v) **point of order** means the right of a Member to bring to the attention of the Mayor or Chair any deviation or departure from the rules of procedure;
- (w) **Procedural By-law** means this By-law and as may be amended when required by a majority of Council at its discretion;

- (x) **question of privilege** means questions relating to the rights and privileges of any Member of the Council;
- (y) **quorum** means a majority of the whole number of Members of Council or Committee respectively, or as otherwise determined by Council;
- (z) **recorded vote** means the recording of a vote of every Member of Council voting on any matter or question;
- (aa) **rules of procedure** means the provisions governing the proceedings of Council which are set forth in this By-law;
- (bb) **subsidiary motion** means a motion applied to a principal motion for the purpose of appropriately disposing of such motion (to table, refer etc.)

SECTION 2 - APPLICATION

- 2.1 The rules of procedure contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and unless specifically provided, with necessary modifications, to all Committees thereof.
- 2.2 All points of order or procedure for which rules have not been provided in this by-law and its Appendices shall be decided as far as is reasonably practicable, with the rules of parliamentary law as contained in *Bourinot's Rules of Order*, fourth edition, revised, by Geoffrey Stanford.

SECTION 3 - INAUGURAL MEETING OF COUNCIL

- 3.1 The Inaugural Meeting of Council shall be held on the first Wednesday of December in an election year at 7:00 p.m.
- 3.2 The Inaugural Proceedings shall include:
 - (a) Ceremonial - special address by guests
 - (b) Filing of Certificates and Declarations of Office and Oath of Allegiance in accordance with the provisions of the Municipal Act
 - (c) Passing of Confirming By-law

**SECTION 4 - REGULAR AND SPECIAL MEETINGS OF COUNCIL
AND COMMITTEE OF THE WHOLE**

- 4.1 Unless otherwise decided by Council, regular meetings of the Committee of the Whole shall be held the first, second, third and fourth Tuesday of each month, commencing at 9:30 a.m., and regular meetings of Council shall be held every second and fourth Wednesday of each month, commencing at 7:00 p.m., unless such a day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.
- 4.2 Meetings of Council and Committee of the Whole shall be held in the Council Chambers at City Hall in the City of Hamilton or at such other place within the City of Hamilton as Council may from time to time determine.
- 4.3 In addition to regular meetings, the Mayor may at any time summon a special meeting of Council or Committee of the Whole by giving a written direction to the Clerk stating the date, time, and purpose of the special meeting.
- 4.4 The Clerk shall also summon a special meeting of Council when requested to do so in writing by a majority of Members.
- 4.5 The Clerk shall give all Members notice of a special meeting of Council or Committee of the Whole at least forty-eight hours before the time appointed for such meeting by delivering a written notice personally to a Member or by leaving such notice at his or her residence or place of business, by facsimile transmission or electronic mail to such residence or place of business.
- 4.6 The written notice to be given under clause 4.5 shall state the nature of the business to be considered at the special meeting and no other business other than that which is stated in the notice shall be considered at such meeting except with at least two-thirds of the Members present and voting in the affirmative.
- 4.7 As soon as there is a quorum after the time set for the meeting, the Mayor shall take the chair and call the meeting to order.
- 4.8 A majority of Members (more than half the total) is necessary to constitute a quorum of Council or Committee of the Whole.
- 4.9 In case the Mayor or the Deputy Mayor does not attend within 15 minutes of the time a quorum is to be present for a meeting of the Council or Committee of the Whole, the Clerk shall call the Members to order and an acting Chair shall be appointed from amongst the Members present and he or she will preside until the arrival of the Mayor or Deputy Mayor.
- 4.10 If a quorum is not achieved within thirty minutes after the time appointed for a meeting of Council or Committee of the Whole, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law.

- 4.11 The Mayor or Deputy Mayor may designate another Member as acting Mayor during any part of a meeting of the Council or Acting Chair of the Committee of the Whole when he or she vacates the chair for any reason and while presiding, such Member shall have all the powers of the Mayor with respect to chairing the meeting and shall be entitled to vote as a Member.
- 4.12 No meeting or part thereof shall be in camera unless the subject matter being considered is:
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition of land for municipal or local board purposes;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;
 - (h) a matter relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, committee or other body is designated as head of the institution for the purposes of that Act;

and Council or Committee of the Whole has stated by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting.

SECTION 5 - PROCEEDINGS OF COMMITTEE OF THE WHOLE

- 5.1 The rules governing the procedure of the Council and conduct of Members in Council shall be observed in Committee of the Whole so far as they are applicable, provided that:
- (a) the number of times of speaking on any question shall not be limited

- (b) no Member shall speak more than once, until every Member who desires to speak has spoken and then only to provide new information or seek clarification from the Chair or other Members or from staff.
- 5.2 The Mayor shall preside over the proceedings of Committee of the Whole and may appoint a Member of Council to preside over the proceedings of the Committee of the Whole and shall then vacate the Chair.
- 5.3 The Committee of the Whole shall have jurisdiction and be responsible to formulate and discuss major and general policies and such other matters as may be referred to it by Council or Committees thereof.
- 5.4 The Committee of the Whole may delegate matters to the Hearings Sub-Committee and such other matters as are deemed appropriate, or as may be referred to it by Council.
- 5.5 A Member of Council may place an item on a future agenda for a meeting of the Committee of the Whole by delivering a written request to the Mayor.

SECTION 6 – HEARINGS SUB COMMITTEE

- 6.1 The structure of the Hearings Sub-Committee shall be as follows:
 - a) That it be comprised of all Members of Council.
 - b) That quorum for the Hearings Sub-Committee be five (5) Members of Council.
 - c) That the Acting Mayor or Designate preside as Chair of all Hearings Sub-Committee meetings.
- 6.2 Unless otherwise decided by Council, regular meetings of the Hearings Sub-Committee shall be held the first, second, third and fourth Wednesday of each month, commencing at 9:30 a.m., unless such a day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.
- 6.3 Unless otherwise decided by Council, the first and third Hearings Sub-Committee meetings of the month will hear legislated public hearings and the second and fourth meetings of the month will hear non-legislated delegations for all other items.
- 6.4 The Hearings Subcommittee may meet in the evening, in lieu of a regular Wednesday meeting, as required and as scheduled by City Clerk.
- 6.5 In addition to regular meetings, Council may call a special meeting of the Hearings Sub-Committee for issues of substantial concern to the public, at locations and times to permit convenient access for members of the public most affected by such issues.

- 6.6 The rules governing the procedure of the Council and conduct of Members in Council shall be observed at the Hearings Sub-Committee.

SECTION 7 – DELEGATIONS – HEARINGS SUB-COMMITTEE •

- 7.1 Persons who wish to address Members of Council on a matter not listed on the Committee of the Whole agenda, may by correspondence to the City Clerk, a week prior to the scheduled Committee of the Whole meeting, request to be listed as a delegation on the Hearings Sub-Committee Agenda.
- 7.2 Written notice from a delegation shall include the person's name, address, telephone number, reasons for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which he or she represents.
- 7.3 Upon receipt of the written notice requesting delegation status, the City Clerk shall list the delegation request on the next appropriate Committee of the Whole Agenda, and the decision whether or not to entertain the delegation will be made by the Chair and a majority of the Council.
- 7.4 When a person(s) is granted permission to appear as a delegation, he/she shall provide the City Clerk, not later than 5:00 p.m. on the Thursday preceding the date of the Hearings Sub-Committee meeting, with a brief of his/her presentation, which in turn will be provided by the City Clerk to the Members of the Hearings Sub-Committee in advance of the meeting.
- 7.5 When a person(s) is listed as a delegation on a Hearings Sub-Committee agenda and such person does not attend said meeting, that person(s) shall be placed as a delegation on the next appropriate Hearings Sub-Committee agenda. If this person(s) fails to attend the Hearings Sub-Committee meeting, after being given a second opportunity to appear as a delegation, said person shall be removed as a delegation on the Hearings Sub-Committee Agenda and must re-apply to be heard in accordance with sections 7.1 and 7.2 of this By-law.
- 7.6 Persons who wish to address Members of Council on a matter that is listed on the agenda for the Committee of the Whole must give notice to the Clerk by 12:00 noon on the day prior to the meeting. The Clerk will provide the list of delegation requests to the Chair prior to the commencement of the meeting and a decision whether or not to refer the matter to the next ***non-legislated*** Hearings Sub-Committee meeting to hear the delegation will be determined by the Chair and a majority of the Council.
- 7.7 A delegation shall be limited to two speakers.
- 7.8 A delegation shall be limited to a presentation of not more than 5 minutes.

- 7.9 Delegations requesting the opportunity to address the Hearings Sub-Committee in accordance with the provisions of pertinent legislation shall be heard without written notice, if not required by legislation, and the proceedings of such public meetings or hearings shall form part of the report of the Hearings Sub-Committee to City Council.

SECTION 8 – DELEGATIONS – CITY COUNCIL/COMMITTEE OF THE WHOLE

- 8.1 Delegations are not permitted at meetings of the Committee of the Whole and City Council.

SECTION 9 - ESTABLISHMENT OF SPECIAL COMMITTEES/TASK FORCES OR ADVISORY COMMITTEES

- 9.1 Council may from time to time as needed, establish special Committees/Task Forces/ Advisory Committees in response to specific issues requiring immediate or long term attention.
- 9.2 Such special Committees/Task Forces/Advisory Committees shall follow approved policies and procedures identifying Mandate, Objectives and Work Plan for such committees, responsibilities of committee members and staff resources, budget allowances and other necessary resources (See Appendix C).

SECTION 10 - CONDUCT OF MEMBERS - ORDER AND DECORUM

- 10.1 No member shall:
- (a) speak disrespectfully of the Reigning Sovereign, of any member of the Royal Family, of the Governor-General of Canada or of the Lieutenant Governor of any Province; of any member of the Senate or the House of Commons of Canada, or of the Legislative Assembly of the Province of Ontario.
 - (b) use offensive words or unparliamentary language
 - (c) disobey the rules of the Council or a decision of the Mayor of the Council or Chair of Committee of the Whole on questions of order or practice or upon the interpretation of the rules and should a Member persist in such disobedience after having been called to order by the Mayor or Chair of Committee of the Whole, the Mayor or Chair may forthwith order him or her to vacate the Chamber or place the meeting is being held. If the member apologizes he or she may by vote of Council, be permitted to take his or her seat.

- (d) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability.
 - (e) bring food or beverages, water excepted, into the Council Chamber during the sitting of Council.
 - (f) speak on any subject other than the subject in debate
 - (g) speak on a subject longer than a five (5) minute period, without leave of Council
 - (h) criticize any vote of the Council or a Committee.
- 10.2 No person except Members, the Clerk, and officials authorized by the Clerk, the Mayor or the Council, shall be allowed on the floor of Council.
- 10.3 No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council.

SECTION 11 - ORDER OF BUSINESS

- 11.1 The Order of Business for the regular meetings of Council shall be as follows:
- (a) Approval of Agenda
 - (b) Declarations of Interest
 - (c) Ceremonial Activities
 - (d) Approval of Minutes of Previous Meeting
 - (e) Communications
 - (f) Hearings Sub-Committee Report
 - (g) Committee of the Whole Report
 - (h) Grants Sub-Committee Report
 - (i) Motions
 - (j) Notice of Motions
 - (k) General Information
 - (l) By-laws and Confirming By-law

- (m) Adjournment

11.2 The Order of Business for the regular meetings of Committee of the Whole shall be as follows:

- (a) Declarations of Interest
- (b) Approval of Minutes of Previous Meeting
- (c) Delegation Requests
- (d) Staff Presentations
- (e) Consent Items
- (f) Discussion Items
- (g) Private and Confidential
- (h) Motions
- (i) Notice of Motions
- (j) General Information
- (k) Adjournment

11.3 The Order of Business for the regular meetings of Hearings Sub-Committee shall be as follows:

- (a) Declarations of Interest
- (b) Approval of Minutes of Previous Meeting
- (c) Public Meetings
- (d) Items Referred from Previous Meetings
- (e) Delegations
- (f) Motions
- (g) Notices of Motion
- (h) General Information
- (i) Private and Confidential
- (j) Adjournment

SECTION 12 – RULES OF DEBATE IN COUNCIL MEETINGS

- 12.1 No Member shall be deemed to have precedence or seniority over any other Member.
- 12.2 Before speaking to a question or motion, a Member shall rise from his or her seat and address the Mayor.
- 12.3 When two or more Members rise to speak, the Mayor shall designate the Member who rose first as the Member who has the floor.
- 12.4 When a Member is speaking no other Member shall pass between that Member and the Mayor or interrupt that Member except to raise a point of order.
- 12.5 If a Member disagrees with the announcement of the Mayor that a question is Carried or Lost, he or she may immediately after the declaration by the Mayor, object to the Mayor's declaration and require that a recorded vote be taken.
- 12.6 A Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member who is speaking.
- 12.7 The following matters may be introduced orally without written notice and without leave:
- (a) a point of order
 - (b) a question of privilege
 - (c) a motion to adjourn
 - (d) a motion to refer
 - (e) a motion to table the question
 - (f) a motion to vote on the question
 - (g) a motion to go into Committee of the Whole
- 12.8 The following motions may be introduced without notice and without leave, but shall be in writing and signed by the Mover and Seconded:
- (a) to amend
 - (b) to suspend the rules of procedure
 - (c) to recess

12.9 Curfew

- (a) No matter of business may be dealt with by Council or Committee after 9:00 p.m. local time without a motion to waive the rules of procedure.
- (b) No item of business may be introduced after 10:00 p.m.

SECTION 13 - VOTING PROCEDURES

- 13.1 Every Member present at a meeting of the Council or Committee when a question is put shall vote unless prohibited by statute, in which case, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting.
- 13.2 When a vote is taken and a tie results, it is deemed to be lost.
- 13.3 If any Member at a meeting of the Council or Committee does not vote when a question is put and a recorded vote is taken, he or she shall be deemed to have voted in the negative except where prohibited from voting by statute.
- 13.4 When a recorded vote is requested by a Member the Clerk shall record the name and vote of every Member on any question.
- 13.5 When the Mayor or Chair, Committee of the Whole calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Mayor or Chair, Committee of the Whole, and during such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- 13.6 After a question is put by the Mayor or Chair, Committee of the Whole, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 13.7 The Mayor or Chair, Committee of the Whole will upon request of a Member, divide the question, and the vote upon each proposal shall be taken separately.
- 13.8 **Notice of Motion**
 - (a) Notice of all new motions, except motions listed in Section 8.7 and 8.8, shall be given in writing
 - i) at a meeting of Council but shall not be debated until the next regular meeting of Council; or
 - ii) delivered to the Clerk at any time prior to noon of the last business day preceding the date of the meeting at which the motion is to be introduced.

- (b) Where a Member's notice of motion has been called by the Mayor at the subsequent meeting and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise;
- (c) Where Council has determined not to drop a notice of motion from the agenda, and at the second meeting such notice of motion is called by the Mayor and not proceeded with, it shall be deemed to have been withdrawn.

13.9 Dispensing with Notice

A motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of the majority of the Members present and voting.

13.10 Motion to Withdraw

After a motion is read or stated by the Mayor it shall be deemed to be in possession of Council, but may, with the permission of Council, be withdrawn at any time before decision or amendment.

13.11 Motion to Amend

A motion to amend

- (a) shall be presented in writing;
- (b) shall be made only to a previous question or to amend an amendment to the question;
- (c) shall be relevant to the question to be decided;
- (d) shall not be received if in essence it constitutes a rejection of the main question;
- (e) may contain a separate and distinct disposition of the question;
- (f) shall be put in the reverse order to that which it is moved.

13.12 Motion to Refer

- (a) A motion to refer the question may include
 - i) the name of the body or official to whom the question is to be referred;
 - ii) instructions respecting the terms upon which the question is to be referred;
- (b) A motion to refer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.

- (c) A motion to refer a question may be amended in accordance with the provisions of section 9.11.

13.13 Motion to Adjourn

A motion to adjourn the Council or to adjourn the debate shall always be in order except:

- (a) when a Member is speaking or during the taking of a vote;
- (b) immediately following the affirmative resolution of a motion that a vote on the question now be taken;
- (c) when a Member has already indicated to the Mayor or Chair, Committee of the Whole, that he or she desires to speak on the question
- (d) when resolved in the negative, cannot be made again until Council has conducted further proceedings.

13.14 Motion to Reconsider

- (a) Subject to clauses (b) and (c), after a question has been decided, it shall not be reconsidered during the term of the Council.
- (b) A Member who voted in the majority on a question may move or give notice for a reconsideration of the matter.
- (c) No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried.
- (d) No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided. A motion to reconsider will be carried by a two-thirds majority of the Members present and voting.

13.15 Where a motion or resolution is under consideration, no motion or resolution shall be received except a motion or resolution having precedence in the following order:

- (a) To adjourn
- (b) To recess
- (c) To request information
- (d) To request that the vote now be taken
- (e) To limit or extend the debate
- (f) To postpone

- (g) To refer or to go into Committee of the Whole
- (h) To amend.

13.16 The following motions are not debatable:

- (a) To adjourn
- (b) To close, limit or extend debate
- (c) To lay on the table (to table)
- (d) To call for the orders of the day
- (e) Questions of privilege
- (f) To suspend the rules
- (g) To take up from the table.

13.17 Motions Beyond Jurisdiction of Council

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

SECTION 14 - ROLE OF CLERK

- 14.1 The Clerk shall distribute the regular agendas of Committee of the Whole and Hearings Sub-Committee meetings to members of Council and Corporate Management Team at least one week prior to the scheduled meetings.
- 14.2 The Clerk shall initiate the distribution of the regular agendas of Committee of the Whole and Hearing Sub-Committee meetings, to the media and general public, 48 hours following the distribution outlined in 14.1.
- 14.3 The agenda may be distributed and made available in an electronic format.
- 14.4 The Clerk shall advise the Mayor and the Chair when items are required to be added to or removed from the agenda.
- 14.5 The Clerk shall submit for confirmation or amendment the minutes of the previous regular council meeting and may read the minutes or portions of the minutes upon request. Upon approval of the majority of the members of Council present, the Mayor and Clerk shall sign the minutes confirmed or as amended.

- 14.6 The Clerk shall advise the Chairman and Committee/Council members if in his/her opinion, the issue (or portion thereof) being discussed at an "In Camera" meeting is not procedurally appropriate in accordance with the terms of the Municipal Act and in accordance with Section 4.12 of this By-law.

SECTION 15 – BY-LAWS/BILLS

- 15.1 All bills coming before Council shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act and shall be complete with the exception of the number and date.
- 15.2 All bills coming before Council shall receive one reading unless otherwise requiring more than one reading pursuant to a Provincial or Federal statute or regulation.
- 15.3 Every bill shall be introduced upon motion by a Member, and any number of bills may be introduced together in one motion, but Council shall, at the request of a Member, deal separately with any bill.
- 15.4 All amendments or debate on the content of the bill shall be held in Committee of the Whole.
- 15.5 Council will revert to Committee of the Whole for discussion on any bill following a successful verbal motion to go into Committee of the Whole.
- 15.6 All amendments made in Committee of the Whole shall be reported by the Mayor to Council, which shall receive the same forthwith, and after the report has been received, a vote on the motion to pass the bills shall be taken.
- 15.7 Every by-law passed by Council shall be numbered and dated and shall be sealed with the seal of the municipality and signed by the Mayor and Clerk.

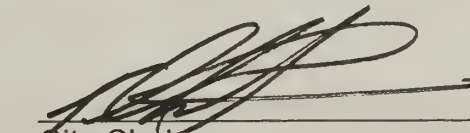
SECTION 16 – GENERAL

- 16.1 This By-law shall not be amended or repealed except by a majority vote of all Members of Council.
- 16.2 No amendments or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal was given at a previous regular meeting of Council.
- 16.3 General guidelines describing the respective roles and responsibilities of the Council, the Mayor and the Chair of a Committee are set out in Appendix "A" to this by-law.
- 16.4 A code of conduct setting out general standards for acceptable conduct by Members of Council in the performance of their public duties is set out in Appendix "B" to this By-law.

- 16.5 This By-law comes into effect on January 1, 2002.
- 16.6 The short title of this By-law is 'The Procedural By-law'.
- 16.7 By-law Nos. 80-107, 81-108, 84-105, 90-13, and 96-6 of the former Town of Ancaster, By-law No. 4421-98 of the former Town of Dundas, By-law Nos. 95-25-P and 95-53-P of the former Town of Flamborough, By-law Nos. 483-93, 483-1-95 of the former Township of Glanbrook, By-law Nos. 95-167 and 96-135 of the former City of Hamilton, By-law Nos. 3934-94, 4343-96, 4658-97, 4978-99 of the former City of Stoney Creek, and By-law Nos. R91-123, R92-007, R93-013, R93-142, R98-088 of the former Regional Municipality of Hamilton-Wentworth, are hereby repealed.
- 16.8 By-law No. 3 – 2000, adopted by the Transition Board under the City of Hamilton Act, 1999, shall be repealed on the day this by-law comes into effect.

PASSED AND ENACTED this 11th day of December, 2001.



Mayor

City Clerk

Appendix “A”

ROLES OF COUNCIL, MAYOR AND COMMITTEE CHAIR

PREAMBLE

The general requirements for holding office for elected officials for the City of Hamilton are contained in the Municipal Act.

GENERAL ROLE/GUIDELINES (COUNCIL)

- a) Within the authority of enabling legislation, to develop policies for the purpose of guiding the administration of municipal government in the City of Hamilton.
- b) Subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the citizens of the community.
- c) Appoint statutory officers and senior officials to ensure that a functional management system is in place and which will administer the City within the adopted policies of Council.
- d) To collectively oversee the administrative functions as carried out by appointed officials within the delegated authority and the policies adopted by Council.
- e) To monitor the administrative process, and ensure that the will and direction of the City is placed into effect.
- f) To be prepared to attend regular and special meetings of Council and committees, as required and to participate in the debate for the purpose of developing and adopting policies and directions for the City of Hamilton.

Note that absence from the meetings of Council for three successive months results in a member's seat being declared vacant unless authorised by resolution of Council.

- g) To act as liaison between the citizens they represent and the municipality, to ensure that the intention of the established policies and regulations are applied in a manner that is conducive to the interests of the citizens as a whole.
- h) To oversee the financial affairs and delivery of municipal services through the adoption of policies and budget control guidelines and to ensure that appropriate audit procedures and monitoring programmes are in effect.

Appendix "A"

ROLES OF COUNCIL, MAYOR AND COMMITTEE CHAIR

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- g) To act as liaison between the citizens they represent and the municipality, to ensure that the intention of the established policies and regulations are applied in a manner that is conducive to the interests of the citizens as a whole.
- h) To oversee the financial affairs and delivery of municipal services through the adoption of policies and budget control guidelines and to ensure that appropriate audit procedures and monitoring programmes are in effect.

ROLE OF THE MAYOR

The Mayor is responsible to act as the Head of Council, as detailed in the Municipal Act, providing leadership to other members of Council.

- a) To act as the Council's corporate representative when dealing with other government agencies and the private sector consistent with the vision and direction expressed by the Council of the day.
- b) The Mayor and the City Manager must work in close liaison as the pivotal link between the policy making body of Council and the administrative organization of the municipality.
- c) The role of Mayor is considered as statutory and policy related, to act as the Head of Council and to co-ordinate political representation on behalf of the City when required at meetings, receptions, functions, and community activities, and to direct administrative functions to the attention of the City Manager.

ROLE OF COMMITTEE CHAIR

- a) To ensure that the general functions noted in the roles of Council and in the policies and procedures established by the City are maintained.
- b) The role of Chair, in co-ordinating the meetings of a committee, will be considered statutory and policy related, with administrative functions to be delegated to appointed staff and officials through the appropriate General Manager or Executive Director, following appropriate reporting procedures of the Municipality.
- c) It is recognised that the role of Chair, as outlined above, does not provide any administrative authority over staff, and that any administrative requests should be brought to the attention of the City Manager, appropriate General Manager or Executive Director or appropriate delegated staff.

Appendix "B"

CODE OF CONDUCT FOR MEMBERS OF COUNCIL

PREAMBLE

A written Code of Conduct helps to ensure that the members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Hamilton's elected representatives operate from a base of integrity, justice and courtesy.

The City of Hamilton Council Code of Conduct is a general standard that augments the provincial laws and municipal by-laws that govern their conduct. It is not intended to replace personal ethics.

GENERAL

All members shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

GIFTS AND BENEFITS

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties as City Councillors, except compensation authorised by law.

This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of \$100.00 that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office. Tokens, mementoes, souvenirs or gifts with a value of greater than \$100.00 shall be the property of the municipality.

No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to City services not otherwise available to the general public and not consequent to his or her official duties.

CONFIDENTIALITY

All information, documentation or deliberation received reviewed or taken in closed session of Council and its committees are confidential.

Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential.

Particular care should be exercised in ensuring confidentiality of the following types of information:

- Personnel matters;
- Information about suppliers provided for evaluation which might be useful to other suppliers;
- Matters relating to the legal affairs of the City;
- Sources of complaints where the identity of the complainant is given in confidence;
- Items under negotiation;
- Schedules of prices in contract tenders;
- Information defined as “personal information” under the Municipal Freedom of Information and Protection of Privacy Act.

This list is provided for example and is not inclusive. Requests for information should be referred to the appropriate staff to be addressed as either an informal request for access to municipal records, or as a formal request under the Municipal Freedom of Information and Protection of Privacy Act.

USE OF CITY PROPERTY

No member shall use for personal purposes any City property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised.

No member shall obtain financial gain from the use of City-developed intellectual property, computer programs, technological innovations, or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Hamilton.

No member shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

WORK OF A POLITICAL NATURE

No member shall use City facilities, services, or property for his or her re-election campaign. No member shall use the services of City employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the City.

CONDUCT AT COUNCIL

During Council meetings, members shall conduct themselves with decorum. Respect for delegations and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor.

REPRESENTING THE CITY

Members shall make every effort to participate diligently in the activities of the agencies, boards, and commissions to which they are appointed.

INFLUENCE ON STAFF

Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality, and are required to do so without any undue influence from any individual member or group of members of Council.

BUSINESS RELATIONS

No member shall borrow money from any person who regularly does business with the City unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before Council or a committee of Council or any agency, board, or committee of the City.

ENCOURAGEMENT OF RESPECT FOR THE CITY AND ITS BY-LAWS

Members shall encourage public respect for the City and its by-laws.

HARASSMENT

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the City of Hamilton that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the Ontario Human Rights Code.

INTERPRETATION

Members of Council seeking clarification of any part of this Code of Conduct should consult with the City Clerk or City Solicitor.

Appendix “C”

CRITERIA FOR THE CREATION OF SPECIAL COMMITTEES/TASK FORCES OR ADVISORY COMMITTEES

- a) That all requests for the formation of a Special Purpose Body be presented to Committee of the Whole for consideration.
- b) That all requests, upon approved motion by the Committee of the Whole, be referred to the applicable General Manager for a report back on the following;
 - i) inventory of previous and existing activities related to the issue
 - ii) reporting structure, membership composition, mandate, objectives, legislative requirements, work plan and timelines for the Special Purpose Body
 - iii) responsibilities of Committee members
 - iv) membership expertise requirements for the Special Purpose Body
 - v) proposed budget allocation requirement and source of funding
 - vi) staffing requirements
 - vii) other necessary resources, and
 - viii) term limits
- c) That upon Committee of the Whole approval of the formation of a Special Purpose Body, the following procedures will be followed:
 - i) That the City Clerk advertise for citizens to serve on the Special Purpose Body, including the membership expertise requirements; and
 - ii) That applications received for membership on the Special Purpose Body be forwarded by the City Clerk to a Selection Committee consisting of members of Council; and
 - iii) That, where possible and applicable, geographical representation should be considered for members serving on Special Purpose Bodies; and
 - iv) That proceedings of the Special Purpose Body be subject to the City's Procedural By-laws; and
 - v) That the General Manager provide an annual “report card” to Committee of the Whole on the activities of the Special Purpose Bodies in relation to their mandate, and that Committee of the Whole determine annually if each body should have its mandate continued for a further year; and
 - vi) That all members of Special Purpose Bodies be required to take an Oath of Office, administered by the Clerk, similar to that taken by members of Council; and
 - vii) That upon completion of the Special Purpose Bodies' mandate and/or outgoing membership on Bodies, that a Certificate of Recognition and Appreciation be presented to citizen members.

Bill No. 301

City of Hamilton

BY-LAW NO. 01-301

To Amend:

By-law No. 79-275 (Hamilton)
As Amended by By-law Nos. 83-236 and 98-173 (Hamilton)

Respecting:

SITE PLAN CONTROL AREAS

WHEREAS THE City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS THE City of Hamilton Act, 1999, provides that the Site Plan Control By-laws and Official Plans of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 79-275 on the 25th day of September 1979 establishing site plan control for specified areas and specified zoning districts;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 83-236 on the 27th day of July 1983 by adding the "F-1" District and the "F-3" District to Schedule "A" of By-law No. 79-275;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 98-173 on the 30th day of June 1998 by adding the "H" District and the "U" District to Schedule "A" of By-law No. 79-275;

AND WHEREAS the Council of the City of Hamilton in adopting Section 15 f) of Report 01-008 of the Committee of the Whole at its meeting held on the 3rd day of April, 2001, authorized that By-law No. 79-275 be further amended as hereinafter provided;

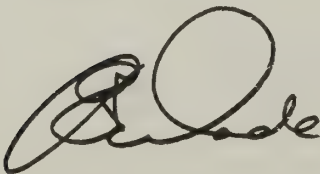
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 79-275 is amended by adding the following subsection thereto:

 “(6) All industrially zoned lands fronting onto or abutting a Major Road (as per Schedule F – Hamilton Official Plan) are hereby designated as a site plan control area.
2. In all other respects, By-law No. 79-275, save as amended herein, is hereby confirmed, unchanged.

PASSED this 11th day of December A.D.
2001



MAYOR

CI-01-B



CITY CLERK

Authority: Item 11(c), 26th Report of the Planning and
Development Committee (PDC99153)
C.M. December 14, 1999

Bill No. 302

City of Hamilton

BY-LAW NO.

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"FIELDS OF FIDDLER'S GREEN", PART OF BLOCK 85,
REGISTERED PLAN OF SUBDIVISION 62M-800**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Town of Ancaster" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS Subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part lot control on land within a registered plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

**By-law to remove lands within the
"Fields of Fiddler's Green"
Subdivision, Plan 62M-800
from Part Lot Control**

2

- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorised to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 3 parcels of land for street townhouse dwellings shall not apply to the following lands:

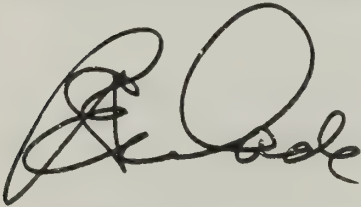
Part of Block 85", Registered Plan No. 62M-800, in the former Town of Ancaster, more specifically referred to as Parts 1, 2, 3 and 4, Plan 62R-15947.
2. (a) Where as this by-law has been enacted it shall be registered on title to the land described in paragraph one (1) above.

**By-law to remove lands within the
"Fields of Fiddler's Green"
Subdivision, Plan 62M-800
from Part Lot Control**

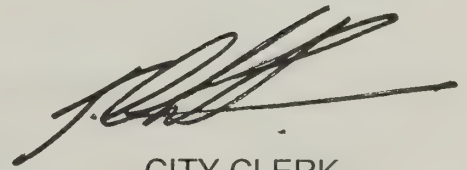
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(b) This By-law shall expire on December 11, 2002.

PASSED this 11th day of December A.D. 2001

A stylized, handwritten signature in black ink, likely belonging to the Mayor.

MAYOR

A handwritten signature in black ink, likely belonging to the City Clerk.

CITY CLERK

New Horizon Homes Limited
PLC-01-17

THE CITY OF HAMILTON

BY-LAW NO. 01-30.3

To Confirm the Proceedings of City Council at its meeting held on December 11, 2001

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

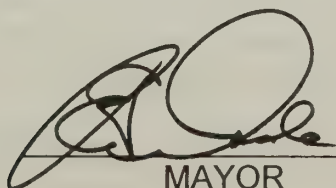
1. The Action of City Council at its meeting held on the 11th day of December, 2001 in respect of each recommendation contained in:

Report 01-034 of the Hearings Sub Committee,
Report 01-035 of the Hearings Sub Committee,
Report 01-038 of the Committee of the Whole,

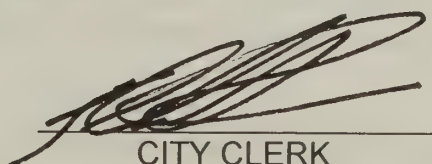
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 11th day of December, 2001



MAYOR



CITY CLERK

Bill No. 304

City of Hamilton

BY-LAW NO. 01-304

To Amend:

By-law No. 89-72, as amended,
By-law No. 4818-98, as amended,
and By-law No. 01-215, as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 22nd day of September, 1998, the Council of the Corporation of the City of Stoney Creek enacted By-law No. 4818-98 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipalities, the Corporation of the City of Hamilton and the Corporation of the City of Stoney Creek;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton and the Corporation of the City of Stoney Creek continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 89-72, By-law No. 4818-98 and By-law No. 01-215, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Tolton	Northbound and Southbound	Roxborough
Central	Eastbound and Westbound	Cameron
Cameron	Northbound and Southbound	Maple
Normandy	Eastbound and Westbound	Cameron"

2. Schedule 14 (Stop Signs) of By-law No. 4818-98, as amended, is hereby further amended by adding thereto the following item, namely:

"Napoleon	Eastbound and Westbound	Valera"
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3. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Tolton	Northbound and Southbound	Roxborough
Central	Eastbound and Westbound	Cameron
Cameron	Northbound and Southbound	Maple
Normandy	Eastbound and Westbound	Cameron"

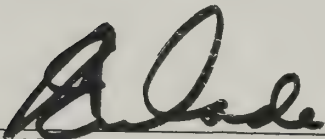
and by adding to Section "F" thereof the following item, namely:

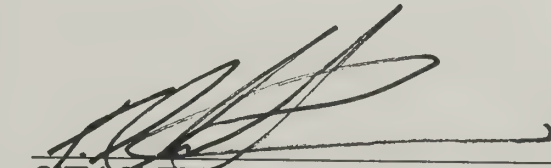
"Napoleon	Eastbound and Westbound	Valera"
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4. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72, By-law No. 4818-98 and By-law No. 01-215, including all Schedules thereto, as amended, are hereby confirmed unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment. ³

PASSED this 20th day of December A.D. 2001



MAYOR

CITY CLERK

CITY OF HAMILTON

By-law No. 01-305

A by-law respecting the acceptance of the dedication of a public park

WHEREAS by agreement dated September, 1996, amended by an agreement dated December, 2001, the City of Hamilton, Philip Services Inc., Philip Services Corporation and Lynne Gillott, Len Gray, William McFarland, Federico Perez, Michael Prendergast and Lenard Tomini (the "Study Group") agreed that Philip Services Inc. would convey lands described as Part of Lot 28, Conc. 6, Township of Saltfleet, City of Hamilton, as described in Schedule "A" attached hereto (hereinafter referred to as the "Lands") to the City of Hamilton.

AND WHEREAS the parties acknowledge and agree that the Lands are being dedicated to the City as a park.

AND WHEREAS subsection 53 of Section 207 of the *Municipal Act* empowers the municipality to pass by-laws for accepting lands dedicated as a public park for the use of the inhabitants of the municipality.

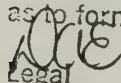
The Council of the City of Hamilton enacts as follows:

1. The City of Hamilton accepts the dedication of the Lands by Philip Services Inc. as a public park for the use of the inhabitants of the City of Hamilton.
2. The City acknowledges that the sole reason that the Lands are being dedicated to the City is for the purpose of a public park, and that the lands are dedicated to the City in reliance upon and subject to the trust that the lands will be used only for a public park. The City further acknowledges and agrees as follows:
 - (a) not to use the Lands except for the purpose of a public park in accordance with the open space policies as set out in subsection A.7 of the Official Plan of the former City of Stoney Creek and subsection 11.4 of Zoning By-law 3692-92 of the former City of Stoney Creek in accordance with the further restrictions set out in the following paragraph.
 - (b) not to construct any facilities on the Lands other than a sports park including the establishment of soccer pitches, baseball diamonds and ancillary facilities with a maximum

cumulative floor space of all buildings of 11,000 square feet without first obtaining the written consent of the Study Group or its assignees, which consent is not to be unreasonably withheld; and

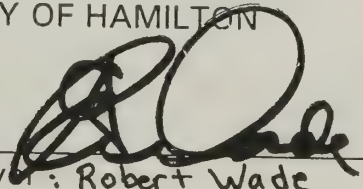
- (c) not to construct the facilities as outlined in paragraph (b) above so as to interfere with the easement reserved onto Philip Services Inc. unless such facilities are being constructed as mutually agreed to by the City, Philip Services Inc. and the Study Group or in accordance with the sports park plans to be agreed to by the City, Philip Services Inc. and the Study Group.

ENACTED this 20th day of December, 2001.

Approved
as to form

Legal
Services

CITY OF HAMILTON

Per:


Mayor: Robert Wade

Per:


Clerk: Kevin C. Christenson

Schedule "A"**Legal Description of Lands to be Dedicated as a Public Park**

Part of Lot 28, Conc. 6, Township of Saltfleet, now City of Hamilton, being Parts 1,2,3 and 9 on Reference Plan 62R – 16022.

THE CITY OF HAMILTON

BY-LAW NO. 01-306

To Confirm the Proceedings of City Council at its meeting held on December 20, 2001

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

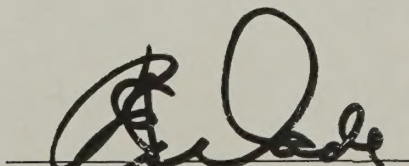
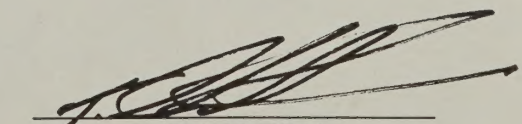
1. The Action of City Council at its meeting held on the 20th day of December, 2001 in respect of each recommendation contained in:

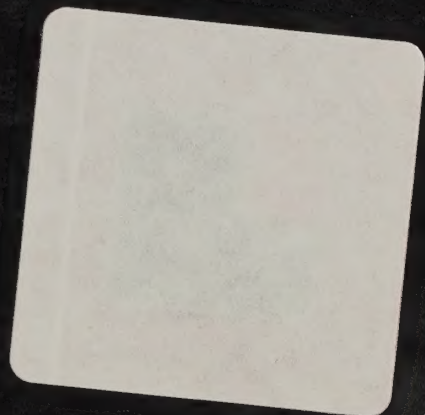
Report 01-039 of the Committee of the Whole,
Report 01-040 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 20th day of December, 2001


MAYOR
CITY CLERK



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ITEM NO. 25971

MADE IN USA

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